

1 448(A)(1) and (B) through (E), 2111(C), 2402(6), and 2405(B), R.S. 47:332.9(A),
2 337.95(B)(1)(a), 337.96, 337.99(H)(1) and (I), 4331(F), 4352, and 6103(A)(2), R.S.
3 48:1671(C)(1), R.S. 49:214.5.3(B)(3), 952(1), 953(B)(1)(a) and (2) and (F)(3)(b)
4 and (h), 954(A) and (B)(2), 954.1, 966(C), 968(D)(1)(c), (H)(1), (I), and (J), 981,
5 982, 983(A)(introductory paragraph) and (B), 984, 985, 986, 987, and 1101(A), R.S.
6 51:3115 and 3121(G), Children's Code Articles 1302.1(7) and 1437(B), and Code of
7 Criminal Procedure Articles 405, 406, 409, and 410, to enact R.S. 17:4015(7)(e) and
8 R.S. 36:409(R), and to repeal R.S. 11:231(A)(3), 449(A) and (B), 450(B), and
9 788(C)(introductory paragraph) all as amended by Act No. 714 of the 2008 Regular
10 Session of the Legislature and R.S. 11:788(C)(4) as enacted by Act No. 714 of the
11 2008 Regular Session of the Legislature, R.S. 17:4015(7)(f), and R.S. 18:1505.2(T),
12 relative to the various provisions of the Louisiana Revised Statutes of 1950, the
13 Children's Code, and the Code of Criminal Procedure; to provide for various
14 technical corrections, including corrections in legal citations, corrections in names
15 of publications, agencies, department offices, officers, and other entities, removing
16 of references to agencies that have been repealed or no longer exist, listing agencies
17 in the appropriate provisions for each department in executive reorganization
18 provisions, listing of a human services district in appropriate provisions for such
19 districts, designating undesignated statutory provisions, making conforming changes,
20 and clarifying language; and to provide for related matters.

21 Be it enacted by the Legislature of Louisiana:

22 Section 1. R.S. 1:55(B)(1)(a) is hereby amended and reenacted to read as follows:

23 §55. Days of public rest, legal holidays, and half-holidays

24 * * *

25 B. Legal holidays shall be observed by the departments of the state as
26 follows:

27 (1)(a) Insofar as may be practicable in the administration of the government,
28 no employee shall work on New Year's Day, Dr. Martin Luther King, Jr.'s Birthday
29 which shall be observed on the third Monday of January of each year or in
30 conjunction with the day of the federal observance, Mardi Gras Day, Good Friday,

1 Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day,
2 Inauguration Day once in every four years in the city of Baton Rouge, or ~~General~~
3 ~~Election Day every two~~ the first Tuesday after the first Monday in November in
4 even-numbered years.

5 * * *

6 Section 2. R.S. 9:400(A)(introductory paragraph), (B), (D), and (E) are hereby
7 amended and reenacted to read as follows:

8 §400. Putative father registry

9 A. The Department of Health and Hospitals, office of ~~preventive and public~~
10 ~~health services~~, shall establish a putative father registry which shall record the names
11 and addresses of the following:

12 * * *

13 B. A person filing a declaration to claim paternity of a child or an
14 acknowledgement of paternity shall include therein his current address and shall
15 notify the registry of any change of address pursuant to procedures prescribed by
16 rules and regulations of the Department of Health and Hospitals, office of ~~preventive~~
17 ~~and public health services~~.

18 * * *

19 D. The Department of Health and Hospitals, office of ~~preventive and public~~
20 ~~health services~~, shall, upon request, provide the names and addresses of persons
21 listed with the registry to any court or authorized agency, and such information shall
22 not be divulged to any other person, except upon order of a court for good cause
23 shown.

24 E. The Department of Health and Hospitals, office of ~~preventive and public~~
25 ~~health services~~, shall promulgate all rules and regulations necessary to carry out the
26 purposes of this Part.

27 Section 3. R.S. 11:22(D), 143(C)(introductory paragraph), 701(10), 1115(C), 1345.4,
28 1345.6, 1632(D)(1), 1633(B)(1), 1644(C)(2), 2132, 2218(J)(4), 2220(A)(1)(g)(i), (ii), and
29 (iv), 2221(K)(3), 2241.8(1)(b), and 2242.8(1)(b) are hereby amended and reenacted to read
30 as follows:

1 §22. Methods of actuarial valuation established

2 * * *

3 D. For any ~~of the systems~~ system set forth in Subsection B of this Section
4 ~~which are~~ that is funded utilizing the frozen attained age normal method, the
5 actuarial valuation method of ~~such~~ the system shall be converted to the aggregate
6 funding method in the system's first valuation in which the frozen unfunded actuarial
7 accrued liability is fully amortized.

8 * * *

9 §143. Transfers between systems

10 * * *

11 C. Except as provided in Paragraph ~~(D)~~(5) of this ~~Subsection~~ Section and
12 notwithstanding the provisions of law to the contrary, the system, fund, or plan from
13 which the person transfers such credit shall transfer to the receiving system, fund, or
14 plan an amount which is the lesser of the following:

15 * * *

16 §701. Definitions

17 As used in this Chapter, the following words and phrases have the meanings
18 ascribed to them in this Section unless a different meaning is plainly required by the
19 context:

20 * * *

21 (10) "Earnable compensation" means the compensation earned by a member
22 during the full normal working time as a teacher. Earnable compensation shall
23 include any differential wage payment; as defined by 26 U.S.C. 3401(h)(2), ~~which~~
24 that is made by an employer to any individual performing qualified military service.
25 Earnable compensation shall not include per diem, post allowances, payment in kind,
26 hazardous duty pay, or any other allowance for expense authorized and incurred as
27 an incident to employment, nor payments in lieu of unused sick or annual leave, nor
28 retroactive salary increases unless such an increase was granted by legislative ~~act~~ Act
29 or by a ~~city/parish~~ city-parish systemwide salary increase, nor payment for
30 discontinuation of contractual services, unless the payment is made on a monthly

1 basis. If a member is granted an official leave and he makes contributions for the
 2 period of leave, earnable compensation shall not include compensation paid for other
 3 employment which would not have been possible without the leave. The board of
 4 trustees shall determine whether or not any other payments are to be classified as
 5 earnable compensation.

6 * * *

7 §1115. Election of membership; termination

8 * * *

9 C. Any A member ~~who~~ ceases to be a member if he:

- 10 (1) Is absent from service more than five consecutive years and has credit for
- 11 fewer than twenty years of service.
- 12 (2) Withdraws his accumulated contributions.
- 13 (3) Withdraws from active service with a retirement allowance.
- 14 (4) Dies.

15 ~~shall thereupon cease to be a member.~~

16 * * *

17 §1345.4. Eligibility for retirement

18 Any member shall be eligible for retirement if he has:

- 19 (1) Twenty-five years or more of service, at any age.
- 20 (2) Twelve years or more of service, at age fifty-five or thereafter.
- 21 (3) Twenty years of service credit at any age, exclusive of military service
- 22 and unused annual and sick leave, but any person retiring under this ~~Subsection~~
- 23 Paragraph shall have his benefit, inclusive of military service credit and allowable
- 24 unused annual and sick leave, actuarially reduced from the earliest age that he would
- 25 normally become eligible for a regular retirement benefit under ~~Subsection A or B~~
- 26 Paragraphs (1) and (2) of this Section if he had continued in service to that age. Any
- 27 employee who elects to retire under the provisions of this ~~Subsection~~ Paragraph shall
- 28 not be eligible to participate in the Back-Deferred Retirement Option Program

1 provided by R.S. 11:1312.1 or the Initial Benefit Option provided by R.S.
2 11:1307(E).

3 * * *

4 §1345.6. Back-Deferred Retirement Option Program

5 A member, except as ~~specified in~~ for a member who retires pursuant to R.S.
6 ~~11:1345.4(C)~~ 11:1345.4(3), shall have the option of participating in the Back-
7 Deferred Retirement Option Program in accordance with the provisions of R.S.
8 11:1312.1.

9 * * *

10 §1632. Retirement eligibility; benefits at three percent

11 * * *

12 D.(1) For purposes of this Section and R.S. 11:1633 and 1634, average final
13 compensation shall include any amounts properly considered as regular rate of pay
14 of the member, ~~as defined in R.S. 11:231~~, and unreduced by amounts excluded from
15 income for federal income tax purposes by reason of 26 U.S.C. 125, 132(f),
16 402(e)(3), 402(h)(1)(B), 403(b), 414(h), or 457 or any other provision of federal law
17 of similar effect.

18 * * *

19 §1633. Retirement eligibility; benefits at three and one-half percent

20 * * *

21 B. Benefits.

22 (1) Normal Retirement Benefits. The retirement allowance for normal
23 retirement benefits shall be three and one-half percent of the ~~final~~ average final
24 compensation for each year of creditable service.

25 * * *

26 §1644. Back-Deferred Retirement Option Program

27 * * *

1 C. The member's Back-DROP monthly benefit accrual shall be calculated
2 based on the provisions applicable for service retirement set forth in R.S. 11:1632
3 and 1633, subject to the following conditions:

4 * * *

5 (2) ~~Final average~~ Average final compensation; utilized for the purpose of
6 calculating the Back-DROP monthly benefit; shall be calculated by excluding all
7 earnings during the Back-DROP period.

8 * * *

9 §2132. Annuity savings fund; contributions to fund; amount of employee
10 contributions

11 ~~A.~~ The annuity savings fund shall be a fund in which shall be accumulated
12 contributions from the compensation of members to provide for their annuities.
13 Contributions to and payments from the annuity savings fund shall be made as
14 follows:

15 ~~B.(1)~~ Each employer shall cause to be deducted from the salary of each
16 member on each and every payroll of such employer for each and every payroll
17 period seven ~~per centum~~ percent of his earnable compensation. In determining the
18 amount earnable by a member in a payroll period, the board of trustees may consider
19 the rate of annual compensation payable to such member on the first day of the
20 payroll period as continuing throughout such payroll period, and it may omit
21 deduction from compensation for any period less than a full payroll period; ~~and to~~
22 To facilitate the making of deductions, it may modify the deduction required of any
23 member by such an amount as shall not exceed one-tenth of one ~~per centum~~ percent
24 of the annual compensation upon the basis of which such deduction is to be made.

25 ~~C.(2)~~ The deductions provided for ~~herein in this Section~~ shall be made
26 notwithstanding that the minimum compensation provided for by law for any
27 member shall be reduced thereby. Every member shall be deemed to consent and
28 agree to the deductions made and provided for ~~herein in this Section~~ and shall receipt
29 for his full salary or compensation, and payment of salary or compensation less said
30 deductions shall be a full and complete discharge and acquittance of all claims and

1 demands whatsoever for the services rendered by such person during the period
 2 covered by such payment, except as to the benefits provided by this Chapter. The
 3 employer shall certify to the board of trustees on each and every payroll or in such
 4 other manner as the board of trustees may prescribe, the amounts to be deducted; and
 5 each of said amounts shall be deducted, and when deducted shall be paid into said
 6 annuity savings fund, and shall be credited together with regular interest thereon to
 7 the individual account of the member from whose compensation said deduction was
 8 made.

9 * * *

10 §2218. Creditable service

11 * * *

12 J.

13 * * *

14 (4) When extending credit for unused earned leave, fractional days of
 15 one-half or more shall be granted as one day and less than one-half day shall be
 16 disregarded. Any member who ~~had previously terminated~~ terminates his
 17 employment for any period of time; but who later becomes reemployed as an active
 18 contributing member in this system; shall ~~have contributed~~ contribute to the system
 19 for not less than eighteen months subsequent to his reemployment date before using
 20 converted unused earned sick and annual leave for purposes of benefit computation.
 21 Additional membership service obtained by conversion of unused earned sick and
 22 annual leave shall not be used in computation of average final compensation.

23 * * *

24 §2220. Benefits; contribution limit

25 A. Eligibility for normal retirement, early retirement, and limitations.

26 (1)

27 * * *

28 (g) Upon termination of employment, the retiree shall receive an additional
 29 retirement benefit based on his additional service rendered since reemployment using

1 the normal method of computation of benefits or as provided in Subparagraph (h) of
2 this Paragraph, subject to the following:

3 (i) If the period of additional service was less than thirty-six months, the
4 average final compensation figure used to calculate the additional benefit shall be
5 that used to calculate his original benefit.

6 (ii) If the period of additional service was thirty-six or more months, the
7 average final compensation figure used to calculate the additional benefit shall be
8 based on his average compensation earned during the period of additional service.

9 * * *

10 (iv) ~~In no event shall the~~ The additional benefit shall not exceed an amount
11 which, when combined with the original benefit, equals one hundred percent of the
12 average final compensation figure used to compute the additional benefit.

13 * * *

14 §2221. Deferred Retirement Option Plan

15 * * *

16 K. The following shall also apply if employment is not terminated at the end
17 of the period of participation:

18 * * *

19 (3) Upon termination of employment, he shall receive an additional
20 retirement benefit based on his additional service rendered since termination of
21 participation in the fund, using the normal method of computation of benefit, subject
22 to the following:

23 (a) If his period of additional service was less than thirty-six months, the
24 average final compensation figure used to calculate the additional benefit shall be
25 that used to calculate his original benefit.

26 (b) If his period of additional service was thirty-six or more months, the
27 average final compensation figure used to calculate the additional benefit shall be
28 based on his compensation during the period of additional service.

29 (c) The option used shall be that applicable to the original benefit.

1 upon remarriage set forth in this Paragraph shall not apply. The surviving spouse
 2 shall receive a benefit equal to one hundred percent of the member's ~~final~~ average
 3 final compensation less any survivor benefits payable to a child or children as
 4 provided in this Section. The sum of survivor benefits paid to children and a
 5 surviving spouse shall not exceed one hundred percent of the member's average final
 6 compensation. No funds derived from the assessments against insurers pursuant to
 7 R.S. 22:1476 shall be used to pay any increased costs or increase in liability of the
 8 system resulting from the payment of benefits to a surviving spouse pursuant to this
 9 Subparagraph.

* * *

11 Section 4. R.S. 14:26 and 63.4(A) and (C) are hereby amended and reenacted to read
 12 as follows:

13 §26. Criminal conspiracy

14 A. Criminal conspiracy is the agreement or combination of two or more
 15 persons for the specific purpose of committing any crime; provided that an
 16 agreement or combination to commit a crime shall not amount to a criminal
 17 conspiracy unless, in addition to such agreement or combination, one or more of
 18 such parties does an act in furtherance of the object of the agreement or combination.

19 B. If the intended basic crime has been consummated, the conspirators may
 20 be tried for either the conspiracy or the completed offense, and a conviction for one
 21 shall not bar prosecution for the other.

22 ~~B.C.~~ Whoever is a party to a criminal conspiracy to commit any crime shall
 23 be fined or imprisoned, or both, in the same manner as for the offense contemplated
 24 by the conspirators; provided, however, whoever is a party to a criminal conspiracy
 25 to commit a crime punishable by death or life imprisonment shall be imprisoned at
 26 hard labor for not more than thirty years.

27 ~~C.D.~~ Whoever is a party to a criminal conspiracy to commit any other crime
 28 shall be fined or imprisoned, or both, in the same manner as for the offense
 29 contemplated by the conspirators; but such fine or imprisonment shall not exceed

1 one-half of the largest fine, or one-half the longest term of imprisonment prescribed
2 for such offense, or both.

3 * * *

4 §63.4. Aiding and abetting others to enter or remain on premises where forbidden

5 A.(1) No person shall incite, solicit, urge, encourage, exhort, instigate, or
6 procure any other person to go into or upon or to remain in or upon any structure,
7 watercraft, or any other movable which belongs to another, including public
8 buildings and structures, ferries, and bridges, or any part, portion, or area thereof,
9 knowing that such other person has been forbidden to go or remain there, either
10 orally or in writing, including by means of any sign hereinafter described, by the
11 owner, lessee, or custodian of the property or by any other authorized person.

12 (2) For the purposes of this Section, the ~~above mentioned~~ sign described in
13 Paragraph (1) of this Subsection means a sign or signs posted on or in the structure,
14 watercraft or any other movable, including public buildings and structures, ferries
15 and bridges, or part, portion or area thereof, at a place or places where such sign or
16 signs may be reasonably expected to be seen.

17 * * *

18 C. Whoever violates the provisions of ~~Sub-section A or Sub-section B above~~
19 Subsection A or B of this Section; shall be guilty of a misdemeanor and upon
20 conviction thereof shall be fined not more than five hundred dollars or be imprisoned
21 in the parish jail for not more than six months, or both.

22 Section 5. R.S. 15:1084(D) and 1173 are hereby amended and reenacted to read as
23 follows:

24 §1084. Establishment of rates for payment for care in nonstate operated agencies
25 and facilities

26 * * *

27 D. The Department of Health and Hospitals, Department of Children and
28 Family Services, and the Department of Public Safety and Corrections shall
29 promulgate under the Administrative Procedure Act and publish in the ~~State~~
30 Louisiana Register the criteria utilized in establishing the cost related formula that

1 bears a reasonable relationship to cost of care for children cared for by nonstate
2 operated institutions and agencies. Each department may set its own rates and make
3 payment based on that rate.

4 * * *

5 §1173. Publication of procedure

6 The administrative remedy procedure shall be published in the State
7 Louisiana Register.

8 Section 6. R.S. 17:7.2(A)(introductory paragraph), 1684(A)(2), 1809(A), 1812(A),
9 1813(A), the heading of Part IV of Chapter 5 of Title 17 of the Louisiana Revised Statutes
10 of 1950, R.S. 17:1970.2(5), 1970.4(D)(1)(b), (c), and (d), 2054(A), 2757(B)(9),
11 3022(A)(1)(a)(introductory paragraph) and (i), 3130(A), 3218, 3226(B), 3351(A)(5)(c),
12 3351.1(A)(1), 3381(A), 3382(A), and 3387(A) are hereby amended and reenacted and R.S.
13 17:4015(7)(e) is hereby enacted to read as follows:

14 §7.2. Approved teacher education programs

15 A. In carrying out its responsibility to prescribe the qualifications and
16 provide for the certification of teachers under authority of R.S. 17:7(6), the State
17 Board of Elementary and Secondary Education, subject to the constitutional power
18 and authority of the Board of Regents, the Board of ~~Trustees of State Colleges and~~
19 ~~Universities~~ Supervisors for the University of Louisiana System, the Board of
20 Supervisors of Louisiana State University and Agricultural and Mechanical College,
21 and the Board of Supervisors of Southern University and Agricultural and
22 Mechanical College, shall establish qualifications and requirements for the approval
23 of teacher education programs from which graduates may be certified. The
24 qualifications and requirements established by the State Board of Elementary and
25 Secondary Education for an approved teacher education program shall include but
26 not be limited to the following:

27 * * *

1 §1684. Children of school teachers and other school employees; definitions;
2 scholarships for children of teachers and school employees killed or
3 permanently and totally disabled as a consequence of physical assault and
4 battery in performance of duty

5 A. Definitions

6 As used in this Section, the following words and phrases have the meaning
7 ascribed to them in this Subsection unless a different meaning is plainly required by
8 the context:

9 * * *

10 (2) "College or university" means any public institution of ~~post secondary~~
11 postsecondary education ~~situated~~ in this state; governed by the Board of Regents for
12 ~~Higher Education~~, the Board of Supervisors of Louisiana State University and
13 Agricultural and Mechanical College, the Board of Supervisors of Southern
14 University and Agricultural and Mechanical College, the Board of ~~Trustees of State~~
15 ~~Colleges and Universities~~ Supervisors for the University of Louisiana System, or the
16 ~~State Board of Elementary and Secondary Education~~ Board of Supervisors of
17 Community and Technical Colleges.

18 * * *

19 §1809. Small business development center; ~~Northeast Louisiana University at~~
20 ~~Monroe~~ The University of Louisiana at Monroe; authority to operate

21 A. ~~Northeast Louisiana University at Monroe~~ The University of Louisiana
22 at Monroe is hereby authorized to establish and operate a small business
23 development center which may aid and assist small businesses in solving problems
24 inherent in such enterprises. The establishment and operation of the center shall be
25 subject to the constitutional authority of the Board of Regents and the Board of
26 ~~Trustees of State Colleges and Universities~~ Supervisors for the University of
27 Louisiana System.

28 * * *

1 §1812. Small business development and management institute; Northwestern State
2 University at Natchitoches; authority to operate

3 A. Northwestern State University at Natchitoches is hereby authorized to
4 establish and operate a small business development and management institute which
5 may aid and assist small businesses in solving problems inherent in such enterprises.
6 The establishment and operation of the institute shall be subject to the constitutional
7 authority of the Board of Regents and the Board of ~~Trustees of State Colleges and~~
8 ~~Universities~~ Supervisors for the University of Louisiana System.

9 * * *

10 §1813. Computer literacy center; Northwestern State University at Natchitoches;
11 authority to operate

12 A. Northwestern State University at Natchitoches is hereby authorized to
13 establish and operate a computer literacy center. The establishment and operation
14 of the center shall be subject to the constitutional authority of the Board of Regents
15 and the Board of ~~Trustees of State Colleges and Universities~~ Supervisors for the
16 University of Louisiana System.

17 * * *

18 PART IV. BOARD OF ~~TRUSTEES~~ SUPERVISORS FOR THE UNIVERSITY OF
19 LOUISIANA SYSTEM

20 * * *

21 §1970.2. Definitions

22 As used in this Part, the following words, terms, and phrases shall have the
23 meanings ascribed to them in this Section, except when the context clearly indicates
24 a different meaning:

25 * * *

26 (5) "University" means the University of ~~Southwestern~~ Louisiana at
27 Lafayette.

28 * * *

1 Intercollegiate Athletics to have committed a deliberate and serious infraction of its
2 rules when such infraction results in sanctions by the association.

3 * * *

4 §2757. Louisiana Systemic Initiatives Program Council; creation; domicile;
5 membership; expenses; terms; vacancies

6 * * *

7 B. The council shall consist of the following persons or a person designated
8 by them in writing to the council president to represent them whenever they are
9 unable to attend:

10 * * *

11 (9) The president of the Board of ~~Trustees for State Colleges and~~
12 Universities Supervisors for the University of Louisiana System.

13 * * *

14 §3022. Membership and organization

15 A.(1) The Louisiana Student Financial Assistance Commission, hereafter
16 referred to as "the commission", shall be composed of twenty-one members, to
17 consist of the executive secretary to the governor or his designee, who shall serve as
18 ex officio chairman; the state superintendent of education, the president of the State
19 Board of Elementary and Secondary Education, the chairpersons of the Board of
20 Regents, the Board of Supervisors for the University of Louisiana System, the Board
21 of Supervisors of Southern University and Agricultural and Mechanical College, the
22 Board of Supervisors of Community and Technical Colleges, and the Board of
23 Supervisors of Louisiana State University and Agricultural and Mechanical College,
24 or their designees from the other members of their respective boards; the chairperson
25 of the Louisiana Association of Independent Colleges and Universities or his
26 designee who shall be an administrator at or a member of a governing board of a
27 Louisiana independent institution of higher education; five persons, who shall be
28 qualified electors of the state, one to be selected by each of the boards of
29 postsecondary and higher education by the membership of each of said boards and
30 who shall serve at the pleasure of the board; one person who shall be a qualified

1 elector of the state to be selected by the board of the Louisiana Association of
 2 Independent Colleges and Universities by the members of that board and who shall
 3 serve at the pleasure of the association; one person who shall be the owner of a fully
 4 accredited proprietary school in Louisiana, as defined by R.S. 17:3141.2, to be
 5 appointed by the governor; one person who shall be a director or employee of a state-
 6 operated postsecondary vocational-technical school to be appointed by the governor;
 7 two persons to be appointed by the governor from a list of the names of five persons
 8 submitted by the Louisiana Bankers' Association; and two student members to be
 9 selected from among the student members of the boards of postsecondary and higher
 10 education and from among the students of member institutions of the Louisiana
 11 Association of Independent Colleges and Universities as follows:

12 (a) One student member of the commission shall be a student member of one
 13 of the boards of postsecondary ~~and higher~~ education in the state, with each of the
 14 student members of the boards serving a one-year term on the commission on a
 15 rotating basis. The order of the rotation shall be as follows:

16 (i) The student member of the Board of ~~Trustees for State Colleges and~~
 17 ~~Universities~~ Supervisors for the University of Louisiana System.

18 * * *

19 §3130. Other powers

20 A. All powers of management over public institutions of postsecondary
 21 education not specifically vested in the Board of Regents by Article VIII, Section 5
 22 of the Constitution of Louisiana, are reserved to the Board of Supervisors of
 23 Louisiana State University and Agricultural and Mechanical College, the Board of
 24 Supervisors of Southern University and Agricultural and Mechanical College, the
 25 Board of Supervisors of Community and Technical Colleges, and the Board of
 26 ~~Trustees for State Colleges and Universities~~ Supervisors for the University of
 27 Louisiana System, as to the institutions under the control of each.

28 * * *

1 §3218. Authority of system boards

2 The corporate authority, internal and otherwise, vested in the Board of
3 Supervisors of Louisiana State University and Agricultural and Mechanical College,
4 the Board of Supervisors of Southern University and Agricultural and Mechanical
5 College, the Board of Supervisors of Community and Technical Colleges, and the
6 Board of ~~Trustees for State Colleges and Universities~~ Supervisors for the University
7 of Louisiana System to supervise and manage the systems under the jurisdiction of
8 each, extends to all the colleges and universities, branches, centers of learning, or
9 extensions of such systems now existing or hereafter established.

10 * * *

11 §3226. Learning centers; Jefferson Parish; Rapides Parish; Northeast Delta Learning
12 Center; authorization

13 * * *

14 B. The Board of ~~Trustees for State Colleges and Universities~~ Supervisors for
15 the University of Louisiana System or the Board of Supervisors of Community and
16 Technical Colleges, in cooperation with the Board of Regents, shall take such action
17 as necessary to establish a means of awarding certificates and academic and
18 occupational degrees in Jefferson Parish using the instructional resources of existing
19 institutions. Courses which lead to such certificates and academic or occupational
20 degrees shall be offered no later than the fall semester of 1998.

21 * * *

22 §3351. General powers, duties, and functions of college and university boards

23 A. Subject only to the powers of the Board of Regents specifically
24 enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as
25 otherwise provided by law, each postsecondary system management board as a body
26 corporate shall have authority to exercise power necessary to supervise and manage
27 the day-to-day operations of institutions of postsecondary education under its
28 control, including but not limited to the following:

29 * * *

1 (5)

2 * * *

3 (c) The Board of ~~Trustees for State Colleges and Universities~~ Supervisors
4 for the University of Louisiana System is authorized to establish the tuition amounts
5 and other fees and charges applicable to students enrolled in the Doctor of Pharmacy
6 Program at the University of Louisiana at Monroe to be consistent with tuition
7 amounts and other fees charged to students in Doctor of Pharmacy Programs in states
8 comprising the Southern Regional Education Board.

9 * * *

10 §3351.1. Technology fee; authority to assess; use of proceeds

11 A.(1) The Board of Supervisors of Louisiana State University and
12 Agricultural and Mechanical College, the Board of ~~Trustees for State Colleges and~~
13 ~~Universities~~ Supervisors for the University of Louisiana System, the Board of
14 Supervisors of Community and Technical Colleges, and the Board of Supervisors of
15 Southern University and Agricultural and Mechanical College, each may provide,
16 by the favorable vote of two-thirds of the members of the respective board, for the
17 assessment of a student technology fee at the institutions of postsecondary education
18 under their respective supervision and management. The student technology fee
19 shall be five dollars per course credit hour.

20 * * *

21 §3381. Transportation for college students; transportation for other students subject
22 to restrictions; authority to establish and collect bus transportation fees

23 A. A ~~city or parish~~ city, parish, or other local public school board may enter
24 into contracts with individuals, partnerships, or corporations domiciled in this state
25 to furnish transportation to students attending any ~~university, college or junior~~
26 ~~college~~ institution under the supervision and management of the Board of ~~Trustees~~
27 ~~for State Colleges and Universities~~ Supervisors for the University of Louisiana
28 System, the Board of Supervisors of Louisiana State University and Agricultural and
29 Mechanical College, the Board of Supervisors of Community and Technical
30 Colleges, or the Board of Supervisors of Southern University and Agricultural and

1 Mechanical College, or may furnish such transportation themselves, and pay for the
2 same in the manner provided for defraying other expenses. Students receiving
3 transportation may be charged a bus transportation fee in an amount not to exceed
4 the actual cost of providing the transportation service. A school board shall establish
5 such fees and shall provide for their collection.

6 * * *

7 §3382. Teacher certification programs in instruction of elementary school French
8 A. ~~The Board of Trustees for State Colleges and Universities~~ Supervisors for
9 the University of Louisiana System, the Board of Supervisors of Louisiana State
10 University and Agricultural and Mechanical College, and the Board of Supervisors
11 of Southern University and Agricultural and Mechanical College are hereby required
12 to direct institutions under their control which presently offer teacher certification
13 programs in the instruction of high school French, to similarly offer teacher
14 certification programs in the instruction of elementary school French.

15 * * *

16 §3387. Bus transportation to and from postsecondary institutions; authority of
17 postsecondary institutions including vocational-technical schools to contract;
18 payment of costs

19 A. ~~Any university, college, postsecondary vocational-technical school, or~~
20 ~~junior college~~ institution under the supervision and management of the Board of
21 ~~Trustees for State Colleges and Universities~~ Supervisors for the University of
22 Louisiana System, the Board of Supervisors of Louisiana State University and
23 Agricultural and Mechanical College, the Board of Supervisors of Community and
24 Technical Colleges, or the Board of Supervisors of Southern University and
25 Agricultural and Mechanical College may enter into contracts with individuals,
26 partnerships, or corporations domiciled in this state to furnish bus transportation to
27 students attending the respective institution.

28 * * *

1 §4015. Program administration

2 In administering the program pursuant to this Chapter, the department shall:

3 * * *

4 (7) Annually publish the following information for all schools participating
5 in the program:

6 * * *

7 ~~(f)~~(e) The percentage of parents or legal guardians of scholarship recipients
8 who are satisfied with the participating school.

9 * * *

10 Section 7. R.S. 22:1071(D)(2)(c) is hereby amended and reenacted to read as follows:

11 §1071. Enforcement provisions

12 * * *

13 D.

14 * * *

15 (2)

16 * * *

17 (c) The commissioner shall provide notice of the annual assessment
18 percentage amount for each calendar year which shall be published in the ~~state~~
19 ~~register~~ Louisiana Register no later than July first.

20 * * *

21 Section 8. R.S. 24:31.1(C)(2), (D), and (E) are hereby amended and reenacted to
22 read as follows:

23 §31.1. Salary for members; expense allowance; mileage allowance

24 * * *

25 C.

26 * * *

27 (2) During the interim between sessions each member shall also be paid, for
28 actual attendance at meetings of legislative committees of which he is a member, a
29 mileage allowance at the rate provided ~~hereinabove~~ in Paragraph (1) of this
30 Subsection for actual travel to and from the site of such meetings. Mileage

1 allowance for legislative committee meetings shall be paid only upon the filing by
 2 the member with the respective presiding officer of a voucher for each such meeting.
 3 The legislature or either house may, by appropriate resolution, provide that no
 4 mileage allowance shall be paid in the case of particular committees or particular
 5 meetings.

6 D. In lieu of the mileage allowance provided in Subsection C ~~above~~ of this
 7 Section, both during sessions and during the interim between sessions, any legislator
 8 may be reimbursed the actual cost paid by the legislator for a commercial coach fare
 9 airline ticket, either one way or round trip, for any trip for which the mileage
 10 allowance is otherwise authorized pursuant to Subsection C ~~above~~ of this Section if
 11 the distance of travel one way by the most direct route by land is in excess of one
 12 hundred miles. Such reimbursement shall be paid only upon the filing by the
 13 legislator with the respective presiding officer of a voucher for each such trip,
 14 whether during session or during the interim.

15 E. In addition to the salary, compensation, and all other allowances provided
 16 by law for members of the legislature, each member of the legislature shall be paid
 17 a monthly expense allowance, as referred to in R.S. 11:403(10), in the amount of five
 18 hundred dollars per month for expenses in connection with the holding or conduct
 19 of their office. Warrants for the payment of such allowance shall be in accordance
 20 with, and subject to, Subsection B of this Section.

21 Section 9. R.S. 27:220(C) is hereby amended and reenacted to read as follows:
 22 §220. Duties of the board; adoption of administrative regulations; rulemaking
 23 authority

24 * * *

25 C. The board may, by rule and regulation, create and adopt special
 26 procedures for promulgation of rules and regulations, but such special procedures
 27 and the creation and adoption of any rule, regulation, or special procedure of the
 28 board shall include legislative oversight and publication of notice of intent as

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 provided for in R.S. 49:953 except that the notice may be published either in the
2 official journal of the state or the ~~state register~~ Louisiana Register.

3 * * *

4 Section 10. R.S. 28:2(32)(b), 54(D)(1)(introductory paragraph), 874(A)(introductory
5 paragraph), 894(A)(introductory paragraph) and (B)(5), and 912(B) are hereby amended and
6 reenacted to read as follows:

7 §2. Definitions

8 Whenever used in this Title, the masculine shall include the feminine, the
9 singular shall include the plural, and the following definitions shall apply:

10 * * *

11 (32)

12 * * *

13 (b) Patients involuntarily hospitalized by emergency certificate or mental
14 health treatment shall not be admitted to the facilities listed in Items (ii), (iii), (iv),
15 (viii), or (x) of Subparagraph (a) of this Paragraph, except that patients in custody
16 of the Department of Public Safety and Corrections may be admitted to forensic
17 facilities by emergency certificate provided that judicial commitment proceedings
18 are initiated during the period of treatment at the forensic facility authorized by
19 emergency certificate. Patients involuntarily hospitalized by emergency certificate
20 for substance abuse treatment shall not be admitted to the facilities listed in Items
21 (ii), (iii), (iv), or (x) of Subparagraph (a) of this Paragraph. Judicial commitments,
22 however, may be made to any of the above facilities except forensic facilities.
23 However, in the case of any involuntary hospitalization as a result of such emergency
24 certificate for substance abuse or in the case of any judicial commitment as the result
25 of substance abuse, such commitment or hospitalization may be made to any of the
26 above facilities, except forensic facilities, provided that such facility has a substance
27 abuse in-patient operation maintained separate and apart from any mental health
28 in-patient operation at such facility.

29 * * *

1 to be declared orphaned. If resolution of a factual dispute is requested by any owner
2 or operator, the assistant secretary shall hold a fact-finding hearing prior to declaring
3 the site orphaned and the assistant secretary shall make any fact determination
4 necessary to resolve the dispute.

5 * * *

6 Section 12. R.S. 33:4720.56(23)(a), 4720.58.1(F)(1), 4720.151(K)(6)(a),
7 4720.161(K)(3) and (6)(a), 4720.171(K)(3) and (6)(a), 4720.181(K)(6)(a), and
8 4720.191(K)(6)(a) are hereby amended and reenacted to read as follows:

9 §4720.56. Authority

10 The New Orleans Redevelopment Authority shall have all the authority and
11 power necessary or convenient to carry out and effectuate the purposes and
12 provisions of this Chapter, including without limiting the generality of the foregoing,
13 the following authority which shall be in addition to others herein granted:

14 * * *

15 (23)(a) The authority shall have the right, subject to the provisions of this
16 Section, to purchase properties at tax sales conducted in accordance with ~~R.S.~~
17 ~~47:2155 and 2156~~ Part III of Chapter 5 of Subtitle III of Title 47 of the Louisiana
18 Revised Statutes of 1950, and any and all such purchases shall be a purchase
19 pursuant to ~~R.S. 47:2155 and 2156~~ those provisions and not an adjudication to a
20 political subdivision.

21 * * *

22 §4720.58.1. Acquisition of adjudicated properties

23 * * *

24 F.(1) The authority shall have the right, subject to the provisions of this
25 Section, to purchase properties at tax sales conducted in accordance with ~~R.S.~~
26 ~~47:2155 and 2156~~ Part III of Chapter 5 of Subtitle III of Title 47 of the Louisiana
27 Revised Statutes of 1950, and any and all such purchases shall be a purchase
28 pursuant to ~~R.S. 47:2155 and 2156~~ those provisions and not an adjudication to a
29 political subdivision.

30 * * *

1 The presiding officer shall refer the report to the appropriate committee having
2 jurisdiction of the subject matter as provided in the rules of the respective houses.

3 * * *

4 §209. Transfer of boards, commissions, departments, and agencies to Department
5 of Culture, Recreation and Tourism

6 * * *

7 W. The following museums shall be placed within the office of the state
8 museum of the Department of Culture, Recreation and Tourism and shall exercise
9 their powers, duties, functions, and responsibilities as provided in R.S. 36:851.1;

10 * * *

11 (2) The Louisiana Political Museum and Hall of Fame ~~and its advisory board~~
12 (R.S. 25:342(B)(3)(c), 352, and 380.141 et seq.).

13 * * *

14 §234. Powers and duties of secretary of environmental quality

15 A. In addition to the functions, powers, and duties otherwise vested in the
16 secretary by law, he shall:

17 * * *

18 (13) Provide for the ongoing merger and consolidation of the agencies and
19 functions transferred to his department and submit a report thereon to the governor
20 and the legislature, which report shall accompany the budget ~~statement request~~ request which
21 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a
22 statement of the goals of the department and of the programs thereof and shall
23 summarize the accomplishments of the department in meeting such goals and
24 implementing such programs. The report shall also contain a specific statement of
25 the reorganization and consolidation plan for the department for the next year and
26 shall include a report on the implementation of such reorganization and consolidation
27 plan for the previous year. The report concerning reorganization shall specifically
28 detail the extent to which the department has achieved goals stated the previous year
29 with respect to merger and consolidation of functions, abolition of agencies,
30 consolidation of offices, elimination of job positions, and efficiency and economy

1 in delivery of services. The report shall contain any recommendations with respect
 2 to reorganization which may require legislative action under the provisions of this
 3 Title. A copy of the report and recommended legislation shall also be submitted by
 4 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.
 5 The presiding officer shall refer the report to the appropriate committee having
 6 jurisdiction of the subject matter as provided in the rules of the respective house.

7 * * *

8 §239. Transfer of agencies and functions to Department of Environmental Quality

9 * * *

10 C. The Motor Fuels Underground Storage Tank Trust Fund Advisory Board
 11 (R.S. 30:2195 et seq.) is placed within the Department of Environmental Quality and
 12 shall exercise and perform its powers, duties, functions, and responsibilities as
 13 otherwise provided by law.

14 * * *

15 §254. Powers and duties of the secretary of the Department of Health and Hospitals

16 A. In addition to the functions, powers, and duties otherwise vested in the
 17 secretary by law, he shall:

18 * * *

19 (8) Provide for the ongoing merger and consolidation of the agencies and
 20 functions transferred to his department and submit a report thereon to the governor
 21 and the legislature, which report shall accompany the budget ~~statement~~ request which
 22 he submits under provisions of R.S. ~~39:4539:33~~. Such report shall include a
 23 statement of the goals of the department and of the programs thereof and shall
 24 summarize the accomplishments of the department in meeting such goals and
 25 implementing such programs. The report shall also contain a specific statement of
 26 the reorganization and consolidation plan for the department for the next year and
 27 shall include a report on the implementation of such reorganization and consolidation
 28 plan for the previous year. The report concerning reorganization shall specifically
 29 detail the extent to which the department has achieved goals stated the previous year
 30 with respect to merger and consolidation of functions, abolition of agencies,

1 consolidation of offices, elimination of job positions, and efficiency and economy
 2 in delivery of services. The report shall contain any recommendations with respect
 3 to reorganization which may require legislative action under the provisions of this
 4 Title. A copy of the report and recommended legislation shall also be submitted by
 5 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.
 6 The presiding officer shall refer the report to the appropriate committee having
 7 jurisdiction of the subject matter as provided in the rules of the respective house.

8 * * *

9 F.(1) The functions relative to the operation and management of community-
 10 based mental health, developmental disabilities, substance abuse services, and
 11 certain community-based public health services for the parishes of Ascension, East
 12 Baton Rouge, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge, and West
 13 Feliciana transferred in accordance with ~~R.S. 46:266~~ R.S. 28:901 et seq., shall be
 14 the responsibility of and shall be performed by the Capital Area Human Services
 15 District. If funds are not appropriated by the legislature for the district to perform
 16 these functions in those parishes, the functions shall be the responsibility of and shall
 17 be performed by the department in those parishes.

18 * * *

19 §354. Powers and duties of secretary of natural resources

20 A. In addition to the functions, powers, and duties otherwise vested in the
 21 secretary by law, he shall:

22 * * *

23 (12) Provide for the ongoing merger and consolidation of the agencies and
 24 functions transferred to his department and submit a report thereon to the governor
 25 and the legislature, which report shall accompany the budget ~~statement~~ request which
 26 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a
 27 statement of the goals of the department and of the programs thereof and shall
 28 summarize the accomplishments of the department in meeting such goals and
 29 implementing such programs. The report shall also contain a specific statement of
 30 the reorganization and consolidation plan for the department for the next year and

1 shall include a report on the implementation of such reorganization and consolidation
 2 plan for the previous year. The report concerning reorganization shall specifically
 3 detail the extent to which the department has achieved goals stated the previous year
 4 with respect to merger and consolidation of functions, abolition of agencies,
 5 consolidation of offices, elimination of job positions, and efficiency and economy
 6 in delivery of services. The report shall contain any recommendations with respect
 7 to organization which may require legislative action under the provisions of this
 8 Title. A copy of the report and recommended legislation shall also be submitted by
 9 the secretary to the presiding officer of each house of the legislature. The presiding
 10 officer shall refer the report to the appropriate committee having jurisdiction of the
 11 subject matter as provided in the rules of the respective house.

* * *

§404. Powers and duties of secretary of public safety and corrections

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

* * *

(9) Provide for the ongoing merger and consolidation of the agencies and
 functions transferred to his department and submit a report thereon to the governor
 and the legislature, which report shall accompany the budget ~~statement~~ request which
 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a
 statement of the goals of the department and of the programs thereof and shall
 summarize the accomplishments of the department in meeting such goals and
 implementing such programs. The report shall also contain a specific statement of
 the reorganization and consolidation plan for the department for the next year and
 shall include a report on the implementation of such reorganization and consolidation
 plan for the previous year. The report concerning reorganization shall specifically
 detail the extent to which the department has achieved goals stated the previous year
 with respect to merger and consolidation of functions, abolition of agencies,
 consolidation of offices, elimination of job positions, and efficiency and economy
 in delivery of services. The report shall contain any recommendations with respect

1 to reorganization which may require legislative action under the provisions of this
 2 Title. A copy of the report and recommended legislation shall also be submitted by
 3 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.
 4 The presiding officer shall refer the report to the appropriate committee having
 5 jurisdiction of the subject matter as provided in the rules of the respective house.

6 * * *

7 §409. Transfer of agencies to Department of Public Safety and Corrections

8 * * *

9 R. The Louisiana State Uniform Construction Code Council (R.S.
 10 40:1730.21 et seq.) is placed within the Department of Public Safety and Corrections
 11 and shall perform and exercise its powers, duties, functions, and responsibilities as
 12 otherwise provided by law.

13 * * *

14 §454. Powers and duties of secretary of revenue

15 A. In addition to the functions, powers, and duties otherwise vested in the
 16 secretary by law, he shall:

17 * * *

18 (8) Provide for the ongoing merger and consolidation of the agencies and
 19 functions transferred to his department and submit a report thereon to the governor
 20 and the legislature, which report shall accompany the budget ~~statement~~ request which
 21 he submits under provisions of R.S. ~~39:4539:33~~ 39:33. Such report shall include a
 22 statement of the goals of the department and of the programs thereof and shall
 23 summarize the accomplishments of the department in meeting such goals and
 24 implementing such programs. The report shall also contain a specific statement of
 25 the reorganization and consolidation plan for the department for the next year and
 26 shall include a report on the implementation of such reorganization and consolidation
 27 plan for the previous year. The report concerning reorganization shall specifically
 28 detail the extent to which the department has achieved goals stated the previous year
 29 with respect to merger and consolidation of functions, abolition of agencies,
 30 consolidation of offices, elimination of job positions, and efficiency and economy

1 in delivery of services. The report shall contain any recommendations with respect
 2 to reorganization which may require legislative action under the provisions of this
 3 Title. A copy of the report and recommended legislation shall also be submitted by
 4 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.
 5 The presiding officer shall refer the report to the appropriate committee having
 6 jurisdiction of the subject matter as provided in the rules of the respective house.

7 * * *

8 §605. Powers and duties of the secretary of wildlife and fisheries

9 A. In addition to the functions, powers, and duties otherwise vested in the
 10 secretary by law, he shall:

11 * * *

12 (8) Provide for the ongoing merger and consolidation of the agencies and
 13 functions transferred to his department and submit a report thereon to the governor
 14 and the legislature, which report shall accompany the budget ~~statement~~ request which
 15 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a
 16 statement of the goals of the department and of the programs thereof and shall
 17 summarize the accomplishments of the department in meeting such goals and
 18 implementing such programs. The report shall also contain a specific statement of
 19 the reorganization and consolidation plan for the department for the next year and
 20 shall include a report on the implementation of such reorganization and consolidation
 21 plan for the previous year. The report concerning reorganization shall specifically
 22 detail the extent to which the department has achieved goals stated the previous year
 23 with respect to merger and consolidation of functions, abolition of agencies,
 24 consolidation of offices, elimination of job positions, and efficiency and economy
 25 in delivery of services. The report shall contain any recommendations with respect
 26 to reorganization which may require legislative action under the provisions of this
 27 Title. A copy of the report and recommended legislation shall also be submitted by
 28 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.

1 The presiding officer shall refer the report to the appropriate committee having
2 jurisdiction of the subject matter as provided in the rules of the respective house.

3 * * *

4 §624. Powers and duties of commissioner of agriculture and forestry

5 A. In addition to the functions, powers, and duties otherwise vested in the
6 commissioner of agriculture by law, he shall:

7 * * *

8 (7) Provide for the ongoing merger and consolidation of the agencies and
9 functions transferred to his department and submit a report thereon to the legislature,
10 which report shall accompany the budget ~~statement~~ request which he submits under
11 provisions of R.S.~~39:45~~ 39:33. Such report shall include a statement of the goals of
12 the department and of the programs thereof and shall summarize the
13 accomplishments of the department in meeting such goals and implementing such
14 programs. The report shall also contain a specific statement of the reorganization
15 and consolidation plan for the department for the next year and shall include a report
16 on the implementation of such reorganization and consolidation plan for the previous
17 year. The report concerning reorganization shall specifically detail the extent to
18 which the department has achieved goals stated the previous year with respect to
19 merger and consolidation of functions, abolition of agencies, consolidation of
20 offices, elimination of job positions, and efficiency and economy in delivery of
21 services. The report shall contain any recommendations with respect to
22 reorganization which may require legislative action. A copy of the report and
23 recommended legislation shall also be submitted by the commissioner to the
24 presiding officer of ~~both houses~~ each house of the legislature. The presiding officer
25 shall refer the report to the appropriate committee having jurisdiction of the subject
26 matter as provided in the rules of the respective house.

27 * * *

28 §629. Transfer of boards, commissions, departments, and agencies to the
29 Department of Agriculture and Forestry

30 * * *

1 C. The following agencies as defined by R.S. 36:3 are transferred to and
2 hereafter shall be within the Department of Agriculture and Forestry as provided in
3 R.S. 36:802.3:

4 (3) Structural Pest Control Commission (R.S. ~~3:3301-3:3317~~ 3:3361 et seq.).

5 * * *

6 §645. Powers and duties of superintendent of education

7 A. In addition to the functions, powers, and duties otherwise vested in the
8 superintendent by law, he shall:

9 * * *

10 (7) Provide for the ongoing merger and consolidation of the agencies and
11 functions transferred to his department and submit a report thereon to the legislature,
12 which report shall accompany the budget ~~statement~~ request which he submits under
13 provisions of R.S. ~~39:45~~ 39:33. Such report shall include a statement of the goals of
14 the department and of the programs thereof and shall summarize the
15 accomplishments of the department in meeting such goals and implementing such
16 programs. The report shall also contain a specific statement of the reorganization
17 and consolidation plan for the department for the next year and shall include a report
18 on the implementation of such reorganization and consolidation plan for the previous
19 year. The report concerning reorganization shall specifically detail the extent to
20 which the department has achieved goals stated the previous year with respect to
21 merger and consolidation of functions, abolition of agencies, consolidation of offices
22 and administrative and programmatic divisions of the department, elimination of job
23 positions, and efficiency and economy in delivery of services. The report shall
24 contain any recommendations with respect to reorganization which may require
25 legislative action. A copy of the report and recommended legislation shall also be
26 submitted by the superintendent to the presiding officer of ~~both houses~~ each house
27 of the legislature. The presiding officer shall refer the report to the appropriate

1 committee having jurisdiction of the subject matter as provided in the rules of the
2 respective house.

3 * * *

4 §682. Commissioner of insurance; powers and duties

5 * * *

6 B. In addition to the functions, powers, and duties otherwise vested in the
7 commissioner of insurance by law, he shall:

8 * * *

9 (6) Provide for the ongoing reorganization and consolidation of the
10 department and submit a report thereon to the legislature, which report shall
11 accompany the budget ~~statement~~ request which he submits under provisions of R.S.
12 ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and
13 of the programs thereof and shall summarize the accomplishments of the department
14 in meeting such goals and implementing such programs. The report shall also
15 contain a specific statement of the reorganization and consolidation plan for the
16 department for the next year and shall include a report on the implementation of such
17 reorganization and consolidation plan for the previous year. The report concerning
18 reorganization shall specifically detail the extent to which the department has
19 achieved goals stated the previous year with respect to merger and consolidation of
20 functions, abolition of agencies, consolidation of offices and administrative and
21 programmatic divisions of the department, elimination of job positions, and
22 efficiency and economy in delivery of services. The report shall contain any
23 recommendations with respect to reorganization which may require legislative
24 action. A copy of the report and recommended legislation shall also be submitted
25 by the commissioner of insurance to the presiding officer of ~~both houses~~ each house
26 of the legislature. The presiding officer shall refer the report to the appropriate
27 committee having jurisdiction of the subject matter as provided in the rules of the
28 respective house.

29 * * *

1 §702. Powers and duties of attorney general

2 In addition to the functions, powers, and duties otherwise vested in the
3 attorney general, he shall:

4 * * *

5 (6) Provide for the ongoing reorganization and consolidation of the
6 department and submit a report thereon to the legislature, which report shall
7 accompany the budget ~~statement~~ request which he submits under provisions of R.S.
8 ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and
9 of the programs thereof and shall summarize the accomplishments of the department
10 in meeting such goals and implementing such programs. The report shall also
11 contain a specific statement of the reorganization and consolidation plan for the
12 department for the next year and shall include a report on the implementation of such
13 reorganization and consolidation plan for the previous year. The report concerning
14 reorganization shall specifically detail the extent to which the department has
15 achieved goals stated the previous year with respect to merger and consolidation of
16 offices and administrative and programmatic division of the department, elimination
17 of job positions, and efficiency and economy in delivery of services. The report shall
18 contain any recommendations with respect to reorganization which may require
19 legislative action. A copy of the report and recommended legislation shall also be
20 submitted by the attorney general to the presiding officer of ~~both houses~~ each house
21 of the legislature. The presiding officer shall refer the report to the appropriate
22 committee having jurisdiction of the subject matter as provided in the rules of the
23 respective house.

24 * * *

25 §722. Powers and duties of Public Service Commission

26 In addition to the functions, powers, and duties otherwise vested in the Public
27 Service Commission, it shall:

28 * * *

29 (6) Provide for the ongoing reorganization and consolidation of the
30 department and submit a report thereon to the legislature, which report shall

1 accompany the budget ~~statement~~ request which it submits under provisions of R.S.
 2 ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and
 3 of the programs thereof and shall summarize the accomplishments of the department
 4 in meeting such goals and implementing such programs. The report shall also
 5 contain a specific statement of the reorganization and consolidation plan for the
 6 department for the next year and shall include a report on the implementation of such
 7 reorganization and consolidation plan for the previous year. The report concerning
 8 reorganization shall specifically detail the extent to which the department has
 9 achieved goals stated the previous year with respect to merger and consolidation of
 10 functions, abolition of agencies, consolidation of administrative and programmatic
 11 divisions of the department, elimination of job positions, and efficiency and
 12 economy in delivery of services. The report shall contain any recommendations with
 13 respect to reorganization which may require legislative action. A copy of the report
 14 and recommended legislation shall also be submitted by the commission to the
 15 presiding officer of ~~both houses~~ each house of the legislature. The presiding officer
 16 shall refer the report to the appropriate committee having jurisdiction of the subject
 17 matter as provided in the rules of the respective house.

* * *

§742. Powers and duties of secretary of state

In addition to the functions, powers, and duties otherwise vested in the secretary of state by law, he shall:

* * *

(6) Provide for the ongoing reorganization and consolidation of the department and submit a report thereon to the legislature, which report shall accompany the budget ~~statement~~ request which he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and of the programs thereof and shall summarize the accomplishments of the department in meeting such goals and implementing such programs. The report shall also contain a specific statement of the reorganization and consolidation plan for the department for the next year and shall include a report on the implementation of such

1 reorganization and consolidation plan for the previous year. The report concerning
 2 reorganization shall specifically detail the extent to which the department has
 3 achieved goals stated the previous year with respect to merger and consolidation of
 4 functions, consolidation of administrative and programmatic divisions of the
 5 department, elimination of job positions, and efficiency and economy in delivery of
 6 services. The report shall contain any recommendations with respect to
 7 reorganization which may require legislative action under the provisions of this Title.
 8 A copy of the report and recommended legislation shall also be submitted by the
 9 secretary of state to the presiding officer of ~~both houses~~ each house of the legislature.
 10 The presiding officer shall refer the report to the appropriate committee having
 11 jurisdiction of the subject matter as provided in the rules of the respective house.

12 * * *

13 §764. Powers and duties of state treasurer

14 A. In addition to the functions, powers, and duties otherwise vested in the
 15 state treasurer by law, he shall:

16 * * *

17 (7) Provide for the ongoing merger and consolidation of the agencies and
 18 functions transferred to his department and submit a report thereon to the legislature,
 19 which report shall accompany the budget ~~statement~~ request which he submits under
 20 provisions of R.S. ~~39:45~~ 39:33. Such report shall include a statement of the goals of
 21 the department and of the programs thereof and shall summarize the
 22 accomplishments of the department in meeting such goals and implementing such
 23 programs. The report shall also contain a specific statement of the reorganization
 24 and consolidation plan for the department for the next year and shall include a report
 25 on the implementation of such reorganization and consolidation plan for the previous
 26 year. The report concerning reorganization shall specifically detail the extent to
 27 which the department has achieved goals stated the previous year with respect to
 28 merger and consolidation of functions, abolition of agencies, consolidation of offices
 29 and administrative and programmatic divisions of the department, elimination of job
 30 positions, and efficiency and economy in delivery of services. The report shall

1 contain any recommendations with respect to reorganization which may require
 2 legislative action. A copy of the report and recommended legislation shall also be
 3 submitted by the state treasurer to the presiding officer of ~~both houses~~ each house of
 4 the legislature. The presiding officer shall refer the report to the appropriate
 5 committee having jurisdiction of the subject matter as provided in the rules of the
 6 respective house.

7 * * *

8 Section 15. R.S. 37:791(A)(3) and 3259(A)(9) and (B) are hereby amended and
 9 reenacted to read as follows:

10 §791. Protected action and communication

11 A. There shall be no liability on the part of and no action for damages
 12 against:

13 * * *

14 (3) Any nonprofit corporation, foundation, or organization that enters into
 15 any agreement with the board related to the operation of any committee or program
 16 to identify, investigate, counsel, monitor, or assist any licensed ~~physician~~ dentist who
 17 suffers or may suffer from alcohol or substance abuse or a physical or mental
 18 condition which could compromise such dentist's fitness and ability to practice
 19 dentistry with reasonable skill and safety to patients, for any investigation, action,
 20 report, recommendation, decision, or opinion undertaken, performed, or made in
 21 connection with or on behalf of such committee or program, without malice and in
 22 the reasonable belief that such investigation, action, report, recommendation,
 23 decision, or opinion was warranted.

24 * * *

25 §3259. Reporting

26 A. Every licensed midwife shall report to the board annually in a manner and
 27 form prescribed by the board. The report shall be submitted by January thirty-first
 28 of each year and shall include all of the following:

29 * * *

1 (9) A brief description of any complications resulting in the ~~mortality~~ death
2 of a mother or an infant.

3 * * *

4 B. A licensed midwife shall report within forty-eight hours to the board any
5 maternal, fetal, or neonatal mortality or morbidity in patients for whom care has been
6 given. The report shall include the sex, weight, date and place of delivery, method
7 of delivery, congenital anomalies of the fetus, and if maternal, fetal, or neonatal
8 death occurred, cause of death.

9 * * *

10 Section 16. R.S. 39:102(C) and 103(A)(2) and R.S. 39:1533(A) as most recently
11 amended by Section 3 of Act No. 449 and Section 3 of Act No. 631 of the 2006 Regular
12 Session of the Legislature are hereby amended and reenacted to read as follows:

13 §102. Capital outlay budget request contents

14 * * *

15 C. A detailed project description and justification shall be prepared in
16 accordance with instructions and procedures published by the division of
17 administration. Such instructions and procedures shall be published in the State
18 Louisiana Register at least thirty days prior to the effective date thereof.

19 §103. Standards for capital projects and evaluations

20 A.

21 * * *

22 (2) The standards established by the commissioner of administration shall
23 be published in the ~~state register~~ Louisiana Register at least thirty days prior to the
24 effective date thereof.

25 * * *

26 §1533. Self-Insurance Fund

27 A. There is hereby created in the Department of the Treasury a special fund
28 to be known as the "Self-Insurance Fund". The fund shall consist of all premiums
29 paid by state agencies under the state's risk management program as established by
30 this Chapter, the investment income earned from such premiums and commissions

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 retained as provided by ~~Title 39~~ in accordance with the provisions of this Title. This
 2 fund shall be used only for the payment of losses incurred by state agencies under
 3 the self-insurance program, premiums for insurance obtained through commercial
 4 carriers, administrative expenses associated with the management of the state's risk,
 5 law enforcement officers and firemen's survivors benefits as provided for in R.S.
 6 33:1981(C) and 2201(C), the payment of losses incurred by the Jefferson Parish
 7 Human Services Authority in accordance with R.S. 28:831(J), the payment of losses
 8 incurred by the Capital Area Human Services District in accordance with ~~R.S.~~
 9 ~~46:2666~~ R.S. 28:906, the payment of losses incurred by the Florida Parishes Human
 10 Services Authority in accordance with R.S. 28:856, the payment of losses incurred
 11 by the Metropolitan Human Services District in accordance with R.S. 28:866, the
 12 payment of losses incurred by the Northeast Delta Human Services Authority in
 13 accordance with R.S. ~~28:876~~ 28:896, the payment of losses incurred by the South
 14 Central Louisiana Human Services Authority in accordance with R.S. 28:876, and
 15 the funding of the legal services, such funds to be administered by the commissioner
 16 of administration.

17 * * *

18 Section 17. R.S. 40:4(A)(3)(b), 32(12), 33(A), 61(A)(4), 1155, 1232(C), 1232.4(2)
 19 and (7), 1232.9(2) and (7), 1300.198(B)(4), and 2022(D) are hereby amended and reenacted
 20 to read as follows:

21 §4. Sanitary Code

22 A. The state health officer acting through the office of public health of the
 23 Department of Health and Hospitals shall prepare, promulgate, and enforce rules and
 24 regulations embodied within the state's Sanitary Code covering all matters within his
 25 jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary
 26 Code shall be accomplished in strict accordance with the provisions of the
 27 Administrative Procedure Act, and further, in conformity with the following
 28 guidelines and directives:

29 * * *

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(3)

* * *

(b) In order to protect the public from disease associated with the handling of dead human remains, the state health officer, acting through the office of ~~preventive and public health services~~, shall prepare and promulgate all rules necessary to ~~insure~~ ensure that all hospitals will identify corpses that are infected with a contagious disease, when there is actual knowledge of such infection, and report such to embalmers and funeral directors who handle the corpses for interment or cremation. The state health officer shall prepare a list of contagious diseases and such list shall be added to or deleted from as circumstances warrant.

* * *

§32. Definition of terms

As used in this Chapter, the following terms shall have the meanings ascribed to them in this Section unless otherwise provided for or unless the context otherwise indicates:

* * *

(12) "Public health statistics unit" means that section which codes, tabulates, analyzes, reports, and coordinates vital records and other health status indicator data for the office of ~~preventive and public health services~~.

* * *

§33. Vital records registry; establishment; general authority and duties of state registrar

A. There is hereby established a central vital records registry within the office of ~~preventive and public health services~~ and a registrar of vital records for the state with an office properly equipped and operated for the safety and preservation of all vital records covering the births, deaths, marriages, divorce judgments, adoptions, and change of names, made and received under this Chapter or under the regulations adopted by the Department of Health and Hospitals.

* * *

1 §61. Penalties

2 A. A fine of not more than ten thousand dollars or imprisonment of not more
3 than five years, or both, shall be imposed on:

4 * * *

5 (4) In addition to dismissal proceedings pursuant to state civil service
6 regulations, any employee of the vital records registry or office of ~~preventive and~~
7 public health ~~services~~ who willfully and knowingly furnishes or processes a
8 certificate of birth or death, or certified copy of a certificate of birth or death, or
9 discloses information contained in a certificate of birth or death, with the knowledge
10 or intention that it be used for the purposes of deception, ~~or,~~

11 * * *

12 §1155. Approval of individual sewage treatment and disposal systems

13 No parish, municipality, or planning commission shall enact a sewerage
14 permit ordinance or similar regulation authorizing the installation of individual
15 sewage treatment and disposal systems without written approval by the office of
16 ~~preventive and~~ public health ~~services~~ of the Department of Health and Hospitals.

17 * * *

18 §1232. Emergency medical personnel training; ~~certification~~ licensure

19 * * *

20 C. The bureau shall affirmatively provide that there is no discrimination
21 toward any individual in the ~~certification~~ licensure process on the basis of race,
22 religion, creed, national origin, sex, or age.

23 * * *

24 §1232.4. Powers and duties of the bureau

25 The bureau shall:

26 * * *

27 (2) Prescribe application forms for ~~certification and certification~~ licensure
28 and license renewal.

29 * * *

1 (7) Adopt continuing education requirements and standards for individuals
2 seeking to renew a ~~certificate~~ license.

3 * * *

4 §1232.9. Violations

5 No person or individual shall engage in any of the following activities:

6 * * *

7 (2) Practice as an emergency medical services practitioner under any
8 ~~diploma or certificate~~ diploma, certificate, or license illegally obtained or signed or
9 issued unlawfully.

10 * * *

11 (7) Conduct or serve as an educator in conducting any course claiming to
12 prepare students for ~~license~~ licensure as emergency medical services practitioner
13 under the provisions of this Subpart, unless both the course and the educator have
14 been approved by the bureau.

15 * * *

16 §1300.198. Funding

17 * * *

18 B. In the event that the secretary determines that the funds appropriated may
19 not meet projected expenditure for the fiscal year, the secretary may:

20 * * *

21 (4) Establish a period of open enrollment ~~which that~~ shall be not less than
22 thirty days and ~~which that~~ shall include an enrollment period for those who become
23 age eligible during the year. Any such changes shall be effective thirty days after
24 notice of such adjustment is published in the ~~state register~~ Louisiana Register.

25 * * *

26 §2022. Health care information; pertussis

27 * * *

28 D. Nothing in this Section shall require any hospital or the office of public
29 health within the Department of Health and ~~Hospital~~ Hospitals to provide or pay for
30 any vaccination against pertussis.

1 Section 18. R.S. 42:447 is hereby amended and reenacted to read as follows:

2 §447. Leave remaining after termination of personal emergency

3 Transferred annual, sick, or compensatory leave remaining to the credit of a
4 leave recipient when the personal emergency terminates ~~must~~ shall be restored to the
5 pool account.

6 Section 19. R.S. 44:4(4)(a), (14), (31), and (37) and 4.1(B)(20) are hereby amended
7 and reenacted to read as follows:

8 §4. Applicability

9 This Chapter shall not apply:

10 * * *

11 (4)(a) To any records, writings, accounts, letters, letter books, photographs,
12 reports of examination, work papers of examiners, including loan write-ups, line
13 sheets, handwritten notes, loan classification documentation, and any other
14 documentation relating to the financial statements of a financial institution's
15 borrowers, or other entity supervised by the ~~office of financial institutions~~, Office of
16 Financial Institutions, except as otherwise provided in R.S. 6:103, R.S. 9:3518.1,
17 R.S. 37:1806, R.S. 51:1934, or R.S. 51:2389. This exception shall apply to any
18 financial institution governed by Title 6, supervised entities licensed under Title 9
19 of the Louisiana Revised Statutes of 1950, and those entities licensed and supervised
20 by the ~~office of financial institutions~~ Office of Financial Institutions pursuant to Title
21 37 or 51 of the Louisiana Revised Statutes of 1950, including those which are
22 exercising the privileges granted by their charters or licenses, as well as those which
23 have been determined to be insolvent or operating in an unsafe and unsound
24 condition and have lost their deposit insurance coverage, or, for other legal reasons
25 have been closed and placed in conservatorship or receivership by the commissioner
26 of financial institutions, or whose licenses issued under the provisions of Title 9, 37,
27 or 51 of the Louisiana Revised Statutes of 1950 have been terminated for any lawful
28 reason.

29 * * *

1 Section 20. R.S. 46:2(A) and (B), 448(A)(1) and (B) through (E), 2111(C), 2402(6),
2 and 2405(B) are hereby amended and reenacted to read as follows:

3 §2. Administration of oaths

4 A. Employees of the office of ~~family security~~ children and family services
5 of the Department of Children and Family Services, and employees of the parish or
6 district offices of the ~~said~~ department including the New Orleans Department of ~~City~~
7 ~~Welfare, Health,~~ may administer oaths and pass authentic acts in connection with any
8 documents relative to relief or assistance now or to be furnished by the state or any
9 political subdivision under the provisions of this Title or the provisions of the Social
10 Security Act, as either may be amended.

11 B. Employees of the office of ~~human development~~ children and family
12 services of the Department of Children and Family Services, and employees of the
13 parish or district offices of the ~~said~~ department may administer oaths and pass
14 authentic acts, except acts of voluntary surrender under R.S. 9:402, in connection
15 with any documents relative to services now or to be furnished by the state or any
16 political subdivision, either directly or through contractual agreement, under the
17 provisions of this Title or the provisions of the Social Security Act.

18 * * *

19 §448. Emergency assistance information and referral

20 A. Definitions

21 1. As used in this Section, "~~office of human development~~" "office of children
22 and family services" shall mean the office of ~~human development~~ children and
23 family services, Department of Children and Family Services, state of Louisiana.

24 * * *

25 B. The office of ~~human development~~ children and family services shall
26 gather through its local offices information on all governmental and private agencies
27 in each parish as to the type of assistance each agency can and will provide and as
28 to what eligibility requirements, if any, these agencies apply to their assistance.

29 C. The office of ~~human development~~ children and family services shall
30 designate an office in each parish which will aid people seeking emergency

1 assistance, either in person or by telephone, to identify what assistance, if any, the
2 person can obtain. The office of ~~human development~~ children and family services
3 shall publicize in each parish the availability of this information.

4 D. Each office will report at the end of each calendar year to the assistant
5 secretary of the office of ~~human development~~ children and family services, the total
6 number and type of emergency assistance requests it has received and the number
7 and type of emergency assistance requests for which no agency provides assistance
8 in that area. The reports shall be available to the public on request.

9 E. The services provided by this Section shall be funded from such monies
10 as are already provided for the office of ~~human development of the Department of~~
11 ~~Children and Family Services~~ children and family services, and to this end, shall be
12 deemed not to require additional personnel or appropriations.

13 * * *

14 §2111. Findings; purpose

15 * * *

16 C. The purpose of this Chapter is to establish a bureau for handicapped
17 persons within the office of ~~human services~~ children and family services in the
18 Department of Children and Family Services to carry out the duties and
19 responsibilities described by this Chapter, which duties and responsibilities will
20 broaden the scope of those formerly carried out by the Governor's Committee on
21 Employment of the Physically Handicapped.

22 * * *

23 §2402. Definitions

24 Except where the context clearly indicates otherwise, in this Chapter:

25 * * *

26 (6) "Office" means the office of ~~human development~~ children and family
27 services.

28 * * *

29 §2405. Louisiana Children's Trust Fund Board; staff; duties

30 * * *

1 be in accordance with the provisions of Chapter 13-A of Title 49 of the Louisiana
2 Revised Statutes of 1950, R.S. 49:981 et seq.

3 B. The ~~office of the state register~~ Office of the State Register shall prescribe
4 a uniform system of indexing, numbering, arrangement of text and citation of
5 authority and history notes for the Uniform Local Sales Tax Administrative Code.

6 * * *

7 §337.99. Review of board rules

8 * * *

9 H.(1) If both the House and Senate oversight subcommittees fail to find a
10 proposed rule change unacceptable as provided herein, the proposed rule change may
11 be adopted by the board in the identical form proposed by the board or with technical
12 changes or with changes suggested by the subcommittee, provided at least ninety
13 days and no more than twelve months have elapsed since notice of intent was
14 published in the ~~state register~~ Louisiana Register.

15 * * *

16 I. The ~~State~~ Louisiana Register shall publish a copy of the written report of
17 an oversight subcommittee or if unduly cumbersome, expensive, or otherwise
18 inexpedient, a notice stating the general subject matter of the omitted report and
19 stating how a copy thereof may be obtained.

20 * * *

21 §4331. Corporate Tax Apportionment Program; definitions; eligibility requirements;
22 contract approval

23 * * *

24 F. Rules. The department may promulgate rules and regulations after
25 approval of the House Committee on Ways and Means and the Senate Committee
26 on Revenue and Fiscal Affairs meeting jointly within forty-five days of publication
27 of such rules and regulations in the ~~State~~ Louisiana Register.

28 * * *

1 §4352. Program administration

2 There is hereby established a program to implement the exemption provided
3 by Article VII, Section 21(L) of the Constitution of Louisiana. The program shall
4 be implemented and administered by the Department of Economic Development,
5 which shall adopt and promulgate such rules as are necessary for the administration
6 of the program in compliance with the Administrative Procedure Act except that the
7 department may promulgate such rules only after approval of the House Committee
8 on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs
9 meeting jointly within sixty days of publication of such proposed rules in the State
10 Louisiana Register.

11 * * *

12 §6103. Implementation

13 A.

14 * * *

15 (2) The Department of Children and Family Services is authorized to use the
16 emergency rulemaking process for the first set of rules developing and implementing
17 this Chapter. Prior to adoption of the emergency rule, the department shall provide
18 written notification that it intends to publish such rule in the State Louisiana Register
19 and the rule shall be subject to approval by the Senate Committee on Revenue and
20 Fiscal Affairs and the House Committee on Ways and Means. However, if such
21 committees do not take action on the rule within sixty days of publication in the State
22 Louisiana Register, the rule shall become effective.

23 * * *

24 Section 22. R.S. 48:1671(C)(1) is hereby amended and reenacted to read as follows:

25 §1671. Southern Rapid Rail Transit Compact

26 * * *

27 C.(1) The states that are parties to this compact (hereinafter referred to as
28 party states) do hereby establish and create a joint agency, which shall be known as
29 the Southern ~~High-Speed~~ Rail Commission (hereinafter referred to as the
30 commission). The membership of the commission shall consist of the governor of

1 each party state, one representative each from the Mississippi Energy and
 2 Transportation Board or its successor, the Louisiana Department of Transportation
 3 and Development or its successor, the Texas Transportation Commission or its
 4 successor, and the conservation division of the Alabama Department of Energy or
 5 its successor; and five other citizens of each party state, to be appointed by the
 6 governor thereof. The appointive members of the commission shall serve for terms
 7 of four years each. Vacancies on the commission shall be filled by appointment by
 8 the governor for the unexpired portion of the term.

* * *

10 Section 23. R.S. 49:214.5.3(B)(3), 952(1), 953(B)(1)(a) and (2) and (F)(3)(b) and
 11 (h), 954(A) and (B)(2), 954.1, 966(C), 968(D)(1)(c), (H)(1), (I), and (J), 981, 982,
 12 983(A)(introductory paragraph) and (B), 984, 985, 986, 987, and 1101(A) are hereby
 13 amended and reenacted to read as follows:

§214.5.3. Coastal protection annual plans; development; priorities

* * *

16 B. The board shall develop the master and annual plans in accordance with
 17 the following procedure:

* * *

19 (3) Ten days prior to the first such public hearing the board shall publish in
 20 the ~~state register~~ Louisiana Register and the official state journal the schedule of
 21 public hearings setting out the location, place, and time of all the hearings.

* * *

§952. Public information; adoption of rules; availability of rules and orders

Each agency which engages in rulemaking shall:

25 (1) File with the ~~Department~~ Office of the State Register a description of its
 26 organization, stating the general course and method of its operations and the methods
 27 whereby the public may obtain information or make submissions or requests.

* * *

§953. Procedure for adoption of rules

* * *

1 §954. Filing; taking effect of rules

2 A. No rule adopted on or after January 1, 1975, is valid unless adopted in
3 substantial compliance with this Chapter. Each rule making agency shall file a
4 certified copy of its rules with the ~~Department~~ Office of the State Register. No rule,
5 whether adopted before, on, or after January 1, 1975, shall be effective, nor may it
6 be enforced, unless it has been properly filed with the ~~Department~~ Office of the State
7 Register. No rule, adopted on or after November 1, 1978, shall be effective, nor may
8 it be enforced, unless prior to its adoption a report relative to the proposed rule
9 change is submitted to the appropriate standing committee of the legislature or to the
10 presiding officers of the respective houses as provided in R.S. 49:968. No rule,
11 adopted on or after September 12, 1980, shall be effective, nor may it be enforced,
12 unless the approved economic and fiscal impact statements, as provided in R.S.
13 ~~49:953A~~ 49:953(A), have been filed with the ~~Department~~ Office of the State Register
14 and published in the Louisiana Register. The inadvertent failure to mail notice and
15 statements to persons making request for such mail notice, as provided in R.S.
16 49:953, shall not invalidate any rule adopted hereunder. A proceeding under R.S.
17 49:963 to contest any rule on the grounds of noncompliance with the procedures for
18 adoption, as given in this Chapter, must be commenced within two years from the
19 date upon which the rule became effective.

20 B. Each rule hereafter adopted shall be effective upon its publication in the
21 Louisiana Register, said publication to be subsequent to the act of adoption, except
22 that:

23 * * *

24 (2) Subject to applicable constitutional or statutory provisions, an emergency
25 rule shall become effective on the date of its adoption, or on a date specified by the
26 agency to be not more than sixty days future from the date of its adoption, provided
27 written notice is given within five days of the date of adoption to the governor of
28 Louisiana, the attorney general of Louisiana, the speaker of the House of
29 Representatives, and the president of the Senate, and the ~~Department~~ Office of the
30 State Register as provided in R.S. 49:953(B). Such emergency rule shall not remain

1 in effect beyond the publication date of the Louisiana Register published in the
 2 month following the month in which the emergency rule is adopted, unless such rule
 3 and the reasons for adoption thereof are published in said issue; provided, however,
 4 that any emergency rule so published shall not be effective for a period longer than
 5 one hundred twenty days, except as provided by R.S. 49:967(D), but the adoption of
 6 an identical rule under ~~Paragraphs (1), (2), and (3) of Subsection A of R.S. 49:953~~
 7 R.S. 49:953(A)(1), (2), and (3) is not precluded. The agency shall take appropriate
 8 measures to make emergency rules known to the persons who may be affected by
 9 them.

10 §954.1. Louisiana Administrative Code and Louisiana Register; publication;
 11 distribution; copies; index; interagency rules

12 A. The ~~Department~~ Office of the State Register shall compile, index, and
 13 publish a publication to be known as the Louisiana Administrative Code, containing
 14 all effective rules adopted by each agency subject to the provisions of this Chapter,
 15 and all boards, commissions, agencies, and departments of the executive branch,
 16 notwithstanding any other provision of law to the contrary. The Louisiana
 17 Administrative Code shall also contain all executive orders issued by the governor
 18 on or after May 9, 1972, which are in effect at the time the Louisiana Administrative
 19 Code is published. The Louisiana Administrative Code shall be supplemented or
 20 revised as often as necessary and at least once every two years.

21 B. The ~~Department~~ Office of the State Register shall publish at least once
 22 each month a bulletin to be known as the Louisiana Register which shall set forth the
 23 text of all rules filed during the preceding month and such notices as shall have been
 24 submitted pursuant to this Chapter. It shall also set forth all executive orders of the
 25 governor issued during the preceding month and a summary or digest of and fiscal
 26 note prepared for each such order as required by the provisions of R.S. 49:215. In
 27 addition, the ~~Department~~ Office of the State Register may include in the Louisiana
 28 Register digests or summaries of new or proposed rules; however, if any conflict
 29 should arise between the written digest of a rule and the rule, the rule shall take
 30 precedence over the written digest.

1 C. The ~~Department~~ Office of the State Register shall publish such rules,
2 notices, statements, and other such matters as submitted by the rulemaking agency
3 without regard to their validity. However, the Office of the State Register may omit
4 from the Louisiana Register or Louisiana Administrative Code any rule the
5 publication of which would be unduly cumbersome, expensive, or otherwise
6 inexpedient, if the rule in printed or processed form is made available on application
7 to the adopting agency, and if the Louisiana Register or Louisiana Administrative
8 Code, as the case may be, contains a notice stating the general subject matter of the
9 omitted rule and stating how a copy thereof may be obtained.

10 D. One copy, or multiple copies if practical, of the Louisiana Register and
11 Louisiana Administrative Code shall be made available upon request to state
12 depository libraries free of charge, and to other agencies or persons at prices fixed
13 by the ~~department of the state register~~ Office of the State Register to recover all or
14 a portion of the mailing and publication costs. Notwithstanding the provisions of
15 R.S. 49:951(2) of this Chapter to the contrary, the ~~department of the state register~~
16 Office of the State Register shall provide free copies of the Louisiana Register and
17 the Louisiana Administrative Code to the David R. Poynter Legislative Research
18 Library, the Senate Law Library, and the Huey P. Long Memorial Law Library.

19 E. The ~~Department~~ Office of the State Register shall prescribe a uniform
20 system of indexing, numbering, arrangement of text and citation of authority and
21 history notes for the Louisiana Administrative Code.

22 F. The ~~Department~~ Office of the State Register may publish advertisements
23 for bids and other legal notices in the Louisiana Register in addition to other
24 publications thereof required by law.

25 G. The ~~Department~~ Office of the State Register is hereby authorized and
26 empowered to promulgate and enforce interagency rules for the implementation and
27 administration of this Section.

1 H. The governor shall be the publisher of the Louisiana Administrative Code
2 and Louisiana Register provided for through the ~~Department~~ Office of the State
3 Register.

4 * * *

5 §966. Construction and effect; judicial cognizance

6 * * *

7 C. The courts of this state shall take judicial cognizance of rules promulgated
8 in the ~~State~~ Louisiana Register under the provisions of this Chapter.

9 * * *

10 §968. Review of agency rules; fees

11 * * *

12 D.(1)

13 * * *

14 (c) The agency shall publish on its website public notice that the report
15 required by Subparagraph (b) of this Paragraph has been delivered to the appropriate
16 standing committee as provided for in Subsection B of this Section within one
17 business day from submission of the report to the appropriate standing committee.
18 If the agency does not maintain a website, the agency may submit the public notice
19 to the ~~office of the state register~~ Office of the State Register for publication on a
20 website maintained by the ~~office of the state register~~ Office of the State Register.

21 * * *

22 H.(1) If both the House and Senate oversight subcommittees fail to find a
23 proposed rule change unacceptable as provided herein, or if the governor disapproves
24 the action of an oversight subcommittee within the time provided in R.S. 49:968(G),
25 the proposed rule change may be adopted by the agency in the identical form
26 proposed by the agency or with technical changes or with changes suggested by the
27 subcommittee, provided at least ninety days and no more than twelve months have
28 elapsed since notice of intent was published in the ~~State~~ Louisiana Register.

29 * * *

1 I. If the governor disapproves the action of an oversight subcommittee, he
 2 shall state written reasons for his action and shall deliver a copy of his reasons to the
 3 House and Senate oversight subcommittees, the agency proposing the rule change,
 4 and the ~~State~~ Louisiana Register.

5 J. The ~~State~~ Louisiana Register shall publish a copy of the written report of
 6 an oversight subcommittee and the written report of the governor in disapproving
 7 any such action, or if unduly cumbersome, expensive, or otherwise inexpedient, a
 8 notice stating the general subject matter of the omitted report and stating how a copy
 9 thereof may be obtained.

10 * * *

11 §981. Continuous revision under supervision of division of administration, ~~office of~~
 12 ~~the state register~~ Office of the State Register

13 The ~~office of the state register~~ Office of the State Register, as the official
 14 entity to receive, compute, index, and publish the Louisiana Register and Louisiana
 15 Administrative Code, shall direct and supervise the continuous revision, clarification,
 16 and coordination of the Louisiana Register and Louisiana Administrative Code in a
 17 manner not inconsistent with the provisions of this Chapter.

18 §982. New regulation; incorporation in Louisiana Register and Louisiana
 19 Administrative Code; resolution of conflicting rules

20 A. Upon receipt of any rules promulgated under the Administrative
 21 Procedure Act, the ~~office of the state register~~ Office of the State Register shall
 22 prepare the "Louisiana Register", containing the rules to be promulgated in the
 23 Louisiana Administrative Code as they may have been amended or repromulgated
 24 and omitting therefrom those sections that have been repealed. There shall also be
 25 incorporated therein, in an appropriate place and classification, the text of all the new
 26 rules of a general and public nature, assigning to these rules an appropriate title, part,
 27 chapter, and section number, and indicating the statutory authority of the rules from
 28 which they are taken.

29 B. When a conflict between two or more rules affecting the same subject
 30 matter in the same provision or regulation cannot be resolved for the purpose of

1 incorporating the text into the Louisiana Administrative Code, the ~~office of the state~~
 2 ~~register~~ Office of the State Register shall so notify the secretary of the department
 3 or administrative officer charged with the promulgation of the rule prior to preparing
 4 the Louisiana Administrative Code. The secretary or administrative officer shall be
 5 notified of the proposed correction. If no written disapproval of the secretary or
 6 administrative officer, or his designee, of the proposed correction is received by the
 7 ~~office of the state register~~ Office of the State Register within seven days after the
 8 secretary or administrative officer receives the notice, the ~~office of the state register~~
 9 Office of the State Register shall then direct the printer to incorporate into the
 10 Louisiana Administrative Code the text of the provision of the rule properly
 11 promulgated.

12 §983. Incorporation of current rules and regulations procedure

13 A. In preparing the Louisiana Register or the Louisiana Administrative Code
 14 as provided for in R.S. 49:981, the ~~office of the state register~~ Office of the State
 15 Register shall not alter the sense, meaning, or effect of any rule properly
 16 promulgated under the Administrative Procedure Act, but it may:

17 * * *

18 B. The ~~office of the state register~~ Office of the State Register shall notify the
 19 secretary or administrative officer charged with promulgation of the rule prior to
 20 making any proposed revision authorized by this Section. If no written disapproval
 21 of the secretary or administrative officer, or his designee, of the proposed revision
 22 is received by the ~~office of the state register~~ Office of the State Register within seven
 23 days after the secretary or administrative officer receives the notice, the ~~office of the~~
 24 ~~state register~~ Office of the State Register shall proceed with the revision.

25 §984. Alphabetical or numerical sequence of laws

26 A. Whenever a rule defines terms, enumerates provisions or items, or
 27 otherwise sets forth provisions of a rule in a numerical or alphabetical listing or
 28 sequence, and such provision, as promulgated, fails to establish or fails to maintain
 29 an existing alphabetical or numerical sequence, the ~~office of the state register~~ Office
 30 of the State Register, in preparing the Louisiana Register and the Louisiana

1 Administrative Code as provided for by R.S. 49:983, shall rearrange and renumber
 2 or redesignate the provisions to the extent necessary to place all of them in consistent
 3 order.

4 B. The ~~office of the state register~~ Office of the State Register shall notify the
 5 secretary or administrative officer charged with promulgation of the rule prior to
 6 making any proposed revision authorized by this Section. If no written disapproval
 7 of the secretary or administrative officer, or his designee, is received by the ~~office~~
 8 ~~of the state register~~ Office of the State Register within seven days after the secretary
 9 or administrative officer receives the notice, the ~~office of the state register~~ Office of
 10 the State Register shall proceed with the revision.

11 C. This requirement is in addition to any other authority granted to the ~~office~~
 12 ~~of the state register~~ Office of the State Register in the preparation of the Louisiana
 13 Register or the Louisiana Administrative Code, particularly by R.S. 49:983.

14 §985. Submitting copy to the proper party

15 A draft of the Louisiana Administrative Code prepared by the ~~office of the~~
 16 ~~state register~~ Office of the State Register shall be submitted to the appropriate
 17 secretary or administrative officer charged with the promulgation of any rule prior
 18 to transmittal to the printer.

19 §986. Filing of copy with commissioner of administration; certificate of correctness;
 20 printing

21 Any edition of the Louisiana Administrative Code, or of any supplement
 22 thereto, prepared in the manner provided in R.S. 49:982 and 983, shall be certified
 23 by the ~~office of the state register~~ Office of the State Register that each section therein
 24 has been compared with the original sections in the official copy of the Louisiana
 25 Register with the final provisions of the promulgated rules from which the sections
 26 were derived, and that with the exception of the changes of form permitted in R.S.
 27 49:983, the sections are correct. The ~~office of the state register~~ Office of the State
 28 Register shall order the printing of an edition sufficient in number to supply the
 29 demand. When the edition has been printed, the ~~office of the state register~~ Office of
 30 the State Register shall affix to one copy of the printed edition the ~~office of the state~~

1 ~~register's~~ Office of the State Register's original certificate and file the same for
2 record in his office. All other copies of the same edition may contain a printed
3 facsimile of the office's certificate.

4 §987. Printing and publication of Louisiana Register; proof of certified edition

5 The ~~office of the state register~~ Office of the State Register may enter into
6 contracts with private publishers for the printing, publication, sale, and distribution
7 of any edition of the Louisiana Register and the Louisiana Administrative Code
8 prepared by the ~~office of the state register~~ Office of the State Register and certified
9 by it pursuant to the provisions of this Chapter. Those editions so authorized by the
10 ~~office of the state register~~ Office of the State Register and containing the printed
11 facsimile of the ~~office of the state register's~~ Office of the State Register's certificate
12 of correctness shall be admissible as prima facie evidence of the rules contained
13 therein.

14 * * *

15 §1101. Naming state statutory entities, agencies, departments, offices, or budget
16 units

17 A. Except as designated by the Constitution of Louisiana or as provided in
18 R.S. ~~49:215(E)~~ 49:215(D) or Subsection B of this Section, no statutory entity, as
19 defined in R.S. 49:190, or "agency", "department", or "office", as defined in R.S.
20 36:3, or budget unit, as that term is used in Part II of Chapter 1 of Subtitle I of Title
21 39 of the Louisiana Revised Statutes of 1950, shall be named or renamed except by
22 a law enacted by the legislature. Organizational units of the executive branch of
23 state government shall be designated by terminology as provided in R.S. 36:9.

24 * * *

25 Section 24. R.S. 51:3115 and 3121(G) are hereby amended and reenacted to read as
26 follows:

27 §3115. Rules

28 The department may promulgate rules and regulations after approval by the
29 House Committee on Ways and Means and the Senate Committee on Revenue and

1 Fiscal Affairs meeting jointly within sixty days of publication of such rules and
2 regulations in the ~~State~~ Louisiana Register.

3 §3121. Competitive Projects Payroll Incentive Program

4 * * *

5 G. Rules. The department may promulgate rules and regulations after
6 approval of the House Committee on Ways and Means and the Senate Committee
7 on Revenue and Fiscal Affairs meeting jointly within sixty days of publication of
8 such proposed rules and regulations in the ~~State~~ Louisiana Register.

9 Section 25. Children's Code Articles 1302.1(7) and 1437(B) are hereby amended and
10 reenacted to read as follows:

11 Art. 1302.1. Basis for jurisdiction over nonresident

12 In a proceeding to establish, enforce, or modify a support order or to
13 determine parentage, a tribunal of this state may exercise personal jurisdiction over
14 a nonresident individual, or his tutor, in any of the following situations:

15 * * *

16 (7) The individual asserted parentage in the putative father registry
17 maintained in this state by the Department of Health and Hospitals, office of
18 ~~preventive and public health services~~.

19 * * *

20 Art. 1437. Probable cause; order for examination

21 * * *

22 B. If the court determines that probable cause exists, the court may appoint
23 the minor respondent's treating physician if available or, if none, then another
24 physician, preferably a psychiatrist, to examine the minor and make a written report
25 to the court and respondent's attorney on the form provided by the office of ~~human~~
26 ~~services~~ behavioral health of the Department of Health and Hospitals.

1 E. After the jury commission has selected the general venire, it shall lock and
 2 seal the general venire box and deliver it to the secretary of the commission, as the
 3 custodian thereof.

4 Art. 410. Revising and supplementing the general venire

5 A. At each commission meeting to revise and supplement the general venire,
 6 the commission shall examine the general venire list prepared at the previous
 7 selection of the general venire and shall delete therefrom the names of those persons
 8 who:

9 (1) Have served as civil or criminal jurors since the previous selection of the
 10 general venire; or

11 (2) Are known to have died or who have become disqualified to serve as
 12 jurors since their selection on the general venire.

13 B. The slips bearing the names of those persons deleted from the general
 14 venire list shall be removed from the general venire box.

15 C. The commission shall then supplement the list prepared at the previous
 16 commission meeting and the corresponding slips in the box by selecting a sufficient
 17 number of additional persons in compliance with Article 408 or Article 409,
 18 whichever is applicable. Where the general venire list is maintained in a form
 19 suitable for use by ~~an electronic device commonly known as a computer~~, the general
 20 venire shall likewise as hereinabove provided be deleted and supplemented.

21 Section 27. R.S. 11:231(A)(3) is hereby repealed in its entirety.

22 Section 28. R.S. 11:449(A) and (B), 450(B), and 788(C)(introductory paragraph) all
 23 as amended by Act No. 714 of the 2008 Regular Session of the Legislature and R.S.
 24 11:788(C)(4) as enacted by Act No. 714 of the 2008 Regular Session of the Legislature are
 25 hereby repealed in their entirety.

26 Section 29. R.S. 17:4015(7)(f) and R.S. 18:1505.2(T) are hereby repealed in their
 27 entirety.

28 Section 30. This Act shall become effective upon signature by the governor or, if not
 29 signed by the governor, upon expiration of the time for bills to become law without signature
 30 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____