

ACT No. 238

2019 Regular Session

HOUSE BILL NO. 501

BY REPRESENTATIVE BISHOP

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AN ACT

To amend and reenact R.S. 30:2503(A)(1) and (C)(2), 2504(2) and (7), 2506(A), (B)(4), and (C)(15), and 2517(A)(introductory paragraph), and R.S. 36:802(introductory paragraph), to enact R.S. 36:651(CC), and to repeal R.S. 36:610(B)(10), relative to the Louisiana Environmental Education Commission; to provide for the Louisiana Environmental Education Commission; to provide for the transfer of the commission to the Department of Education; to provide for duties and responsibilities; to provide for definitions; to provide for staff; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2503(A)(1) and (C)(2), 2504(2) and (7), 2506(A), (B)(4), and (C)(15), and 2517(A)(introductory paragraph) are hereby amended and reenacted to read as follows:

§2503. Louisiana Environmental Education Commission; creation; membership; duties

A.(1) There is hereby created, within the state Department of ~~Wildlife and Fisheries~~ Education, the Louisiana Environmental Education Commission, hereinafter referred to as the "commission".

* * *

C. The commission shall:

* * *

(2) Advise and assist the ~~secretary of the Department of Wildlife and Fisheries~~ state superintendent of education, the governor, the legislature, the secretary of the Department of Environmental Quality, and other state agencies, including university extension services, conservation and environmental

1 organizations, community action groups, and nature and environmental centers on
2 policies and practices needed to provide environmental education.

3 * * *

4 §2504. Definitions

5 As used in this ~~Part~~ Chapter and Chapter 21 of this Subtitle, the following
6 words have the meanings ascribed to them unless the context requires otherwise:

7 * * *

8 (2) "Department" means the state Department of ~~Wildlife and Fisheries~~
9 Education.

10 * * *

11 (7) "Section" means the environmental education and litter reduction section
12 located within and acting through the state Department of ~~Wildlife and Fisheries~~
13 Education.

14 * * *

15 §2506. Environmental Education and Litter Reduction Section; staff; powers and
16 duties; cooperation; funding

17 A. There is hereby created, within the state Department of ~~Wildlife and~~
18 ~~Fisheries, office of wildlife~~ Education, the environmental education and litter
19 reduction section which shall assist the commission and perform responsibilities
20 relative to education and litter control as provided for in this Chapter. Insofar as
21 funds are appropriated, staff may be employed under the direction and control of the
22 ~~secretary~~ state superintendent of education and in accordance with policies of the
23 department.

24 B. The section shall implement the provisions of this Part relative to
25 environmental education, including the following:

26 * * *

27 (4) Promote and aid in the establishment and assessment of elementary and
28 secondary school environmental education programs ~~through cooperation with the~~
29 ~~Department of Education and the Board of Elementary and Secondary Education~~.

30 * * *

1 C. The section shall implement the provisions of this Part relative to litter
2 control awareness, including the following:

3 * * *

4 (15) Provide an annual report to the House Committee on Natural Resources
5 and Environment, the House Committee on Education, the Senate Committee on
6 Education, and the Senate Committee on Natural Resources giving details regarding
7 the success of the section's efforts to comply with the above duties or any other
8 duties required of it by law.

9 * * *

10 §2517. Curriculum framework

11 A. The commission shall ~~work with the Department of Education~~ to develop
12 a curriculum framework for establishing environmental education programs in all
13 public and private elementary and secondary schools. The program shall integrate
14 environmental concepts and skills into regular curricula, which include:

15 * * *

16 Section 2. R.S. 36:802(introductory paragraph) is hereby amended and reenacted and
17 R.S. 36:651(CC) is hereby enacted to read as follows:

18 §651. Transfer of boards, commissions, departments, and agencies to Department
19 of Education; boards, commissions, and agencies within Department of
20 Education

21 * * *

22 CC. The Louisiana Environmental Education Commission is placed within
23 the Department of Education and shall exercise and perform its powers, duties,
24 functions, and responsibilities in accordance with the provisions of R.S. 36:802.

25 * * *

26 §802. Transfer; retention of policymaking and rulemaking functions

27 The agencies transferred by the provisions of R.S. 36:209(Q) and (Y),
28 259(B)(19), 309(B), 409(C), 459(B), 610(B), 629(I), 651(CC), and 769(C) shall
29 continue to be composed and selected as provided by law, and each shall continue
30 to exercise all of the powers, duties, functions, and responsibilities provided or

1 authorized for each by the constitution or laws which are in the nature of
 2 policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and
 3 also shall continue to exercise all advisory powers, duties, functions, and
 4 responsibilities provided by law. Such powers, duties, functions, and responsibilities
 5 shall be exercised independently of the secretary and any assistant secretary, except
 6 that:

7 * * *

8 Section 3. R.S. 36:610(B)(10) is hereby repealed in its entirety.

9 Section 4. This Act is in no way and is to no extent intended to, nor shall it be
 10 construed in any manner which will impair the contractual or other obligations of any
 11 agency, office, or department, or of the state of Louisiana, the provisions for which are
 12 enacted, amended, or repealed by this Act. It is hereby specifically provided that all
 13 obligations of any such agency, office, or department hereafter shall be deemed to be
 14 obligations of the state Department of Education to the same extent as if originally made by
 15 it. In like manner and in order to prevent any violation of the provisions, terms, or
 16 conditions of any gift, donation, deed, will, trust, or other instrument or disposition by which
 17 property of any kind has been vested in any such agency, office, or department, or division
 18 from the purposes for which such property was thus vested in any agency, office, or
 19 department, it is hereby specifically provided that such instrument or disposition hereafter
 20 shall be deemed to have been vested in the state Department of Education and the state
 21 superintendent of education shall be the successor in every way to each such agency,
 22 including all of the obligations and debts of each such agency.

23 Section 5. All rules and regulations adopted or permits, licenses, registrations,
 24 variances, or orders issued by the Louisiana Environmental Education Commission prior to
 25 the effective date of this Act, shall continue in full force and effect as rules and regulations
 26 of the agency within the state Department of Education until and after the effective date of
 27 this Act, unless otherwise revoked, repealed, amended, modified, or terminated in
 28 accordance with the law.

29 Section 6. Any legal proceeding, as defined in R.S. 36:924, to which any agency or
 30 office, the statutory provisions for which are amended or repealed by the provisions of this

1 Act, is a party and which is filed, initiated, or otherwise pending before any court on the
 2 effective date of this Act and all documents involved in or affected by said legal proceeding,
 3 shall retain their effectiveness and shall be continued in the name of the former agency. All
 4 further legal proceedings and documents in the continuance, disposition, and enforcement
 5 of said legal proceedings shall be in the name of the original party agency, and the state
 6 Department of Education shall be substituted for the original party agency without the
 7 necessity for amendment or any document to substitute the name of the department or the
 8 name or title of any subdivision or section of the department. For purposes of this Section,
 9 "document" shall be defined as provided in R.S. 36:924.

10 Section 7. All employees heretofore engaged in the performance of functions of the
 11 Louisiana Environmental Education Commission, to the extent the state superintendent of
 12 education deems necessary to carry out the functions formerly performed, shall insofar as
 13 practicable and necessary continue to perform the duties heretofore performed, subject to
 14 applicable state civil service laws, rules, and regulations.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____