

ACT No. 434

2019 Regular Session

HOUSE BILL NO. 404

BY REPRESENTATIVE SCHEXNAYDER

1 AN ACT

2 To amend and reenact R.S. 39:100.116(A)(13), R.S. 40:2844(B)(introductory paragraph),
3 R.S. 44:4.1(B)(8), and R.S. 48:77(B)(3), to enact R.S. 40:2844(B)(25), and to repeal
4 Chapter 15 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S.
5 15:1601 through 1614, R.S. 17:3138.4, R.S. 22:31(A)(1) and 32, R.S. 36:4(O),
6 610(J), 686(C)(4), and 769(M), Subpart B of Part V of Chapter 1 of Title 48 of the
7 Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 90.1, Subpart
8 A-1 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 56:360.1 through 360.3, and Section 5 of Act No. 612 of the 2018
10 Regular Session of the Legislature, relative to boards, commissions, committees,
11 councils, authorities, districts, like entities, and funds related thereto; to provide
12 relative to the functional organization of state government by abolishing certain
13 boards, commissions, committees, councils, authorities, districts, like entities, and
14 funds related thereto; to remove references to, provisions for, and the powers,
15 functions, and duties of the Witness Protection Services Board; to remove all
16 provisions of the Witness Protection Services Act; to remove references to,
17 provisions for, and the powers, functions, and duties of and relative to the Workforce
18 and Innovation for a Stronger Economy Strategic Planning Council and related
19 duties of the Board of Regents; to remove provisions for the Workforce and
20 Innovation for a Stronger Economy Fund and transfer any unencumbered balance
21 remaining in the fund to the state general fund; to remove references to, provisions
22 for, and the powers, functions, and duties of the Advisory Committee on Equal
23 Opportunity; to remove references to, provisions for, and the powers, functions, and
24 duties of the Louisiana State Transportation Infrastructure Bank; to remove

1 provisions for the Louisiana State Transportation Infrastructure Fund and redirect
 2 certain monies allocated to such fund to the Transportation Trust Fund; to remove
 3 references to, provisions for, and the powers, functions, and duties of the Louisiana
 4 Aquatic Invasive Species Council; to remove references to, provisions for, and the
 5 powers, functions, and duties of the Louisiana Aquatic Invasive Species Advisory
 6 Task Force; to provide relative to the membership of the governing board of the
 7 Louisiana Emergency Response Network; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The legislature finds that abolishing certain boards, commissions, and
 10 other statutorily-created entities and funds are in the public interest when such entities are
 11 inactive. Pursuant to the recommendations contained in the October 10, 2018, Legislative
 12 Auditor Report to the Legislature titled "Boards, Commissions, and Like Entities" and other
 13 information, it is the intent of the legislature to abolish, boards, commissions, and other
 14 statutorily-created entities as provided in this Act.

15 **Witness Protection Services Board and the Witness Protection Services Act**

16 Section 2.(A) Chapter 15 of Title 15 of the Louisiana Revised Statutes of 1950,
 17 comprised of R.S. 15:1601 through 1614, and R.S. 36:4(O) are hereby repealed in their
 18 entirety.

19 (B) R.S. 44:4.1(B)(8) is hereby amended and reenacted to read as follows:

20 §4.1. Exceptions

21 * * *

22 B. The legislature further recognizes that there exist exceptions, exemptions,
 23 and limitations to the laws pertaining to public records throughout the revised
 24 statutes and codes of this state. Therefore, the following exceptions, exemptions, and
 25 limitations are hereby continued in effect by incorporation into this Chapter by
 26 citation:

27 * * *

28 (8) R.S. 15:242, 440.6, 477.2, 549, 570(F), 574.12, 578.1, 616, 660, 840.1,
 29 1176, 1204.1, 1212.1(E), 1507,~~1614~~

30 * * *

1 **Workforce and Innovation for a Stronger Economy Strategic Planning Council,**
2 **Workforce and Innovation for a Stronger Economy Fund, and related provisions**

3 Section 3.(A) R.S. 17:3138.4 is hereby repealed in its entirety.

4 (B) Notwithstanding any contrary provision of Section 24 of Act No. 612 of the
5 2018 Regular Session of Legislature, the state treasurer is hereby authorized and directed to
6 transfer any unencumbered balance remaining in the Workforce and Innovation for a
7 Stronger Economy Fund to the state general fund after satisfying appropriations for Fiscal
8 Year 2018-2019.

9 (C) Notwithstanding any contrary provision of Section 25 of Act No. 612 of the
10 2018 Regular Session of Legislature, Section 5 of Act No. 612 of the 2018 Regular Session
11 of the Legislature is hereby repealed in its entirety and shall not become effective.

12 **Advisory Committee on Equal Opportunity**

13 Section 4. R.S. 22:31(A)(1) and 32 and R.S. 36:686(C)(4) are hereby repealed in
14 their entirety.

15 **Louisiana State Transportation Infrastructure Bank and Louisiana State**
16 **Transportation Infrastructure Fund**

17 Section 5.(A) R.S. 36:769(M) and Subpart B of Part V of Chapter 1 of Title 48 of
18 the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 90.1, are hereby
19 repealed in their entirety.

20 (B) R.S. 39:100.116(A)(13) is hereby amended and reenacted to read as follows:

21 §100.116. Dedication of mineral revenues

22 A. All mineral revenues as defined in Subsection D of this Section received
23 in each fiscal year by the state as a result of the production of or exploration for
24 minerals, hereinafter referred to as mineral revenues, shall be allocated as provided
25 in this Section after the following allocations and deposits of mineral revenues have
26 been made:

27 * * *

1 (13) An amount equal to the state general fund deposited into the
2 Transportation Trust Fund ~~and the Louisiana State Transportation Infrastructure~~
3 ~~Fund~~ as provided in R.S. 48:77.

4 * * *

5 (C) R.S. 48:77(B)(3) is hereby amended and reenacted to read as follows:

6 §77. Transportation Trust Fund; dedication and uses of certain monies for
7 transportation purposes

8 * * *

9 B. The monies dedicated pursuant to Subsection A of this Section shall be
10 deposited to the funds specified for the following purposes:

11 * * *

12 (3)(a) After compliance with the provisions of Paragraph (1) of this
13 Subsection, seven percent of the remaining monies shall be deposited into the
14 ~~Louisiana State Transportation Infrastructure Fund established in R.S. 48:86 as~~
15 ~~provided in Acts 2015, No. 431~~ Transportation Trust Fund. The monies deposited
16 in the ~~Louisiana State Transportation Infrastructure Fund~~ Transportation Trust Fund
17 pursuant to this ~~Subsection~~ Paragraph shall be used exclusively for final design and
18 construction and shall not be used for studies.

19 (b) ~~If the Act [Acts 2015, No. 431] which originated as House Bill No. 767~~
20 ~~of the 2015 Regular Session of the Legislature fails to pass and is not enacted into~~
21 ~~law, the monies allocated to this Paragraph shall be deposited into the Transportation~~
22 ~~Trust Fund and used exclusively for port construction and development priority~~
23 ~~program projects as provided in Subparagraph (2)(b) of this Subsection.~~

24 * * *

25 **Louisiana Aquatic Invasive Species Council and the Louisiana**
26 **Aquatic Invasive Species Advisory Task Force**

27 Section 6. R.S. 36:610(J) and Subpart A-1 of Part VII of Chapter 1 of Title 56 of the
28 Louisiana Revised Statutes of 1950, comprised of R.S. 56:360.1 through 360.3, are hereby
29 repealed in their entirety.

1 **Governing board, Louisiana Emergency Response Network**

2 Section 7. R.S. 40:2844(B)(introductory paragraph) is hereby amended and
3 reenacted and R.S. 40:2844(B)(25) is hereby enacted to read as follows:

4 §2844. Governing board; membership, appointment, terms, compensation,
5 vacancies

6 * * *

7 B. The network shall be governed by a board of ~~twenty-eight~~ twenty-nine
8 members which shall include:

9 * * *

10 (25) One member who shall be a representative of a burn center that is
11 verified by the American Burn Association.

12 * * *

13 Section 8. The property and funds, if any, of the entities abolished by this Act whose
14 functions or funds are not transferred to another entity or official shall be the property of the
15 state and the state treasurer shall provide for the deposit of such funds in the state treasury
16 to the credit of the state general fund, after deposit in the Bond Security and Redemption
17 Fund as otherwise provided by law.

18 Section 9. This Act shall become effective on June 30, 2019; if vetoed by the
19 governor and subsequently approved by the legislature, this Act shall become effective on
20 June 30, 2019, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____