



LOUISIANA DEPARTMENT OF STATE
CALENDAR YEAR 2018
ADMINISTRATIVE PROCEDURE ACT
ANNUAL LEGISLATIVE OVERSIGHT REPORT

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SECRETARY OF STATE
MARCH, 2019

OFFICE OF THE SECRETARY OF STATE

NOTICE OF INTENT

AND

RULE

Title 4

ADMINISTRATION

Part I. General Provisions

Chapter 4. Department of State (Amendment #1)

(LAC 4:Chapter 4)

The Secretary of State, pursuant to the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and under the authority of R.S. 18:1293, R.S. 36:742, and R.S. 49:222(A), proposed a Rule to amend the non-statutory fee schedule for the Department of State. The Notice of Intent was published in the June 20, 2018 issue of the *Louisiana Register*. A public hearing was held on July 30, 2018 and only staff of the Department attended the meeting. The last day for accepting written comments from the public was the close of business on July 31, 2018. The Department received no written comments. On August 14, 2018, an electronic copy of the Second Legislative Oversight Report was submitted to the President of the Senate, Speaker of the House of Representatives, and the standing oversight committees of the Legislature. There was no oversight committee meeting(s) held. The Rule to amend Chapter 4 (Department of State Non-Statutory Fees) was published and promulgated in the December 20, 2018 issue of the *Louisiana Register*. The effective date of Amendment #1 to the Rule was December 20, 2018.

BUSINESS SERVICES DIVISION

NOTICE OF INTENT

AND

RULE

Title 19

CORPORATIONS AND BUSINESS

Part V. Secretary of State

Chapter 1 – 13. Secure Business Filings Service (Amendment #1)

LAC 19:V Chapters 1 – 13)

The Secretary of State, pursuant to the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), and under the authority of R.S. 49:222 and R.S. 36:742, proposed an amendment to the Rule which would eliminate the fee for the Secure Business Filings (SBF) service. The Notice of Intent was published in the April 20, 2018 issue of the *Louisiana Register*. A public hearing was scheduled for May 30, 2018, and only staff of the Department attended the meeting. The last day for accepting written comments from the public was the close of business on May 31, 2018. No written comments were received by the Department. On June 6, 2018, an electronic copy of the Legislative Oversight Report was submitted to the President of the Senate, Speaker of the House of Representatives, and the standing oversight committees of the Legislature. There were no oversight committee meeting(s) held. The amendment to the Rule for Secure Business Filings (SBF) service was published and promulgated in the August 20, 2018 issue of the *Louisiana Register*. The effective date of Amendment #1 to the Rule was August 20, 2018.

MUSEUMS DIVISION

NOTICE OF INTENT

Title 25

CULTURAL RESOURCES

Part VI. Department of State's Museums

The Secretary of State, pursuant to the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and under the authority of R.S. 36:742, R.S. 36:744, and R.S. 49:222(A), is proposing to adopt rules governing its museums regarding the operation and fees for the Department of State's museums. The Notice of Intent was published in the September 20, 2018 issue of the *Louisiana Register*. A public hearing was held on October 30, 2018, and only staff of the Department attended the meeting. At the public hearing, the Department presented a letter that was received from Ms. Daisy S. Wilson, President of the Friends of the Louisiana State Cotton Museum, concerning the fees for the museum. In Section 305, the fees were based on an hourly rate versus a per event fee which is the current fee structure. Since the public hearing, it was noted that the same situation occurred for the Louisiana Delta Music Museum fees (Section 307) and the Louisiana Oil and Gas Museum fees (Section 309). In 2019, a public hearing will be held on these substantive changes prior to adoption of the Rule.

ELECTIONS DIVISION

NOTICE OF INTENT

AND

RULE

Title 31

ELECTIONS

Part I. Election Process

Chapter 9. Recognition of Political Parties (Amendment #1)

(LAC 31:I.Chapter 9)

The Secretary of State, pursuant to the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and under the authority of R.S. 18:441 and R.S. 36:742, proposed to amend the Rule regarding the recognition of political parties. The Notice of Intent was published in the September 20, 2018 issue of the *Louisiana Register*. A public hearing was held on October 30, 2018, and only staff of the Department attended the meeting. At the hearing, a discussion was held relating to a question presented by the Attorney General's Office regarding Section 905(B) (LAC 31:II.105). This Section stipulated "The political party shall be required to purchase from the Department of State a statewide list of all voters who are registered as being affiliated with the political party in the state of Louisiana pursuant to the provisions of LAC 31:II.105 (Sale of Voter Registration Lists)." The last day for accepting written comments from the public was the close of business on October 31, 2018. With the exception of the letter from the Attorney General's Office, the Department did not receive any written comments. Although the Legislative Fiscal Office agreed that there is no fiscal impact, the Department plans to follow substantive rule provisions in R.S. 49:968(H)(2) in 2019 to revise LAC 31:I.905.B.