

CONFERENCE COMMITTEE REPORT

HB 86

2018 Regular Session

James

May 16, 2018

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 86 by Representative James, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Committee amendments by the Senate Committee on Senate and Governmental Affairs (#3177) be rejected.
- 2. That the set of Legislative Bureau amendments (#3331) be rejected.
- 3. That Senate Floor Amendments No. 1 and 2 by Senator Riser (#3558) be rejected.
- 4. That Senate Floor Amendments No. 3 and 4 by Senator Riser (#3558) be adopted.
- 5. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "(44)" and before the comma "," insert "and (45)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 42:1123(44) is" to "R.S. 42:1123(44) and (45) are"

AMENDMENT NO. 3

In Senate Floor Amendment No. 4 by Senator Riser (#3558), on page 1, at the end of line 18, after "time" delete the period "." and insert a semicolon ";" and the following:

"if such a contract is renewed, the contract and its terms shall be disclosed to the Board of Ethics."

Respectfully submitted,

Representative Edward "Ted" James

Senator Karen Carter Peterson

Representative Stephen E. Pugh

Senator Neil Riser

Representative Sherman Mack

Senator Mack "Bodi" White, Jr.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

ETHICS: Provides an ethics exception to allow governing authority members and employees of a political subdivision or special district that operates parks and recreation facilities and the immediate family members of such persons to rent a facility for an event subject to certain conditions

Report adopts Senate amendments which:

1. Add an exception to allow a public servant, immediate family member, or legal entity in which such a person owns an interest to fulfill or renew a contract under the supervision or jurisdiction of the public servant's agency if the original contract was entered into at least one year prior to the public servant's public service in the agency and was not prohibited at that time.

Report amends the bill to:

1. Additionally require that if such a contract is renewed, the contract and its terms shall be disclosed to the Board of Ethics.

Digest of the bill as proposed by the Conference Committee

Present law (R.S. 42:1113(A) and (B) – ethics code) prohibits a public servant or his immediate family member from entering into a transaction under the supervision or jurisdiction of the agency of the public servant and further prohibits an appointed board or commission member or a member of his immediate family from entering into or being in anyway interested in a transaction under the supervision or jurisdiction of the board or commission.

Proposed law provides an exception to allow a governing authority member or public employee of a political subdivision that operates parks or recreational facilities or an immediate family member of such a person to rent a park or recreation facility under the supervision or jurisdiction of the political subdivision for an event provided that the transaction is conducted without preference and in the same manner and subject to the same fees and conditions applicable to the general public.

Proposed law provides an additional exception to allow a public servant, member of the immediate family of a public servant, or legal entity in which the public servant or immediate family member owns an interest from fulfilling or renewing the terms of a contract under the supervision or jurisdiction of the agency of the public servant if the original contract was entered into at least one year prior to the public servant's public service in the agency and was not prohibited at that time and provided that if such a contract is renewed, the contract and its terms shall be disclosed to the Board of Ethics.

(Adds R.S. 42:1123(44) and(45))