

CONFERENCE COMMITTEE REPORT

SB 171

2019 Regular Session

Hewitt

June 5, 2019

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 171 by Senator Hewitt, recommend the following concerning the Engrossed bill:

1. That House Committee Amendments No 1, 2, 3, 4, 5, and 6 proposed by House Committee on House and Governmental Affairs and adopted by the House of Representatives on May 16, 2019, be rejected.
2. That House Floor Amendments No. 1, 5, and 8 proposed by Representative Gregory Miller and adopted by the House of Representatives on May 29, 2019, be adopted.
3. That House Floor Amendments No. 2, 3, 4, 6, and 7 proposed by Representative Gregory Miller and adopted by the House of Representatives on May 29, 2019, be rejected.
4. That the followings amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, between "reenact" and "R.S. 49:1401", insert "R.S. 37:23.2 and to repeal Chapter 21 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of"

AMENDMENT NO. 2

On page 1, delete line 3 and at the beginning of line 4, delete "of the mandates;" and insert "agencies; to provide relative to certain reports by certain licensing boards and commissions; to provide relative to certain notifications; to provide relative to expirations of certain mandated reports;"

AMENDMENT NO. 3

On page 1, delete lines 6 through 17 and delete pages 2 and 3 and on page 4, delete line 1

AMENDMENT NO. 4

On page 4, between lines 1 and 2, insert "Section 2. Chapter 21 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:1401, is hereby repealed."

Respectfully submitted,

Senators:

Representatives:

Senator Karen Carter Peterson

Representative Gregory Miller

Senator Sharon Hewitt

Representative Lance Harris

Senator Barrow Peacock

Representative Jay Morris

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

STATE AGENCIES. Relative to reports required of executive branch agencies, repeals automatic expiration and makes the legislative auditor the receiving agency for certain reports. (6/30/19)

Report adopts House amendments to:

1. Change the agency that receives certain required reports from boards and commissions authorized to issue licenses to the legislative auditor from the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs.

Report rejects House amendments which would have:

1. Changed the agency that receives certain required reports from boards and commissions authorized to issue licenses to the division of administration from the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs.
2. Changed the date for report mandates to be reviewed from June 30, 2019, with expiration in five-year increments, to January 1, 2022, with review in four-year increments.
3. Required legislative action to cause a reporting mandate to cease rather than requiring legislative action to cause a mandate to continue.

Report amends the bill to:

1. Repeal present law that causes mandates to provide reports to expire five years, or a multiple of five years, after the mandate's initial legislative approval.

Digest of the bill as proposed by the Conference Committee

Present law requires each board or commission authorized to issue a license, permit, or certificate under present law to submit quarterly reports to the appropriate legislative oversight committees and to the House and Senate governmental affairs committees that contain:

- (a) The number of complaints received regarding board actions or procedures.
- (b) A summary of each such complaint and the disposition of each complaint.

Proposed law retains present law but changes the agency that receives the reports from the governmental affairs committee to the legislative auditor.

Present law further requires that each board or commission to give notice to each applicant and licensee that complaints about actions or procedures of the board or commission may be submitted directly to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs. Require each board or commission to post a notice of the ability to submit complaints to the governmental affairs committees in a conspicuous place on the website of the board or commission.

Proposed law retains present law but designates the legislative auditor instead of the House governmental affairs committees as the proper entity that an applicant or licensee may submit complaints to about actions or procedures of the board or commission.

Present law requires a legislative mandate for an executive branch agency to produce a report to expire five years after legislative approval of the mandate. Requires the producing agency to notify the legislature of the impending expiration. Regardless of the legislative committee with jurisdiction over the subject matter of the report, authorizes the legislative committees with jurisdiction over the producing agency to extend the mandate for an additional five years by an affirmative vote of each committee. Provides for the first reports to expire July 1, 2019.

Present law provides for reports mandated before July 1, 2018, to expire on the July 1st following June 30, 2019, in the earliest year that is a multiple of five years after the mandate was initiated.

Proposed law repeals present law.

Effective June 30, 2019.

(Amends R.S. 37:23.2; repeals R.S. 49:1401)