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HOUSE FLOOR AMENDMENTS

2020 Regular Session

Amendments proposed by Representative Dwight to Reengrossed Senate Bill No. 466 by Senator Hewitt

1 AMENDMENT NO. 1

- 2 Delete the set of House Committee Amendments by the House Committee on House and
- 3 Governmental Affairs (#2670)

4 AMENDMENT NO. 2

- 5 On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 6 and
- 6 insert the following:
- 7 "enact R.S. 24:7.1 and R.S. 42:17.1 and 29, relative to open meetings; to
- 8 authorize public bodies, including the legislature and committees of the
- 9 legislature, to conduct certain meetings electronically during certain states
- of emergency or disaster; to provide for requirements related thereto; to
- provide for meetings of the State Bond Commission; and to provide for
- related matters."

13 AMENDMENT NO. 3

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- On page 2, delete lines 18 through 29 and delete pages 3 and 4 and on page 5, delete lines
- 15 1 through 4 and insert the following:
- "Section 2. R.S. 42:17.1 and 29 are hereby enacted to read as follows:
- 17 <u>§17.1. Exception for meetings during a gubernatorially declared disaster or emergency</u>
 - A. Notwithstanding any other provision of this Chapter to the contrary, a public body may conduct and its members may attend and participate in a meeting via electronic means provided all of the following:
 - (1) The governor has declared a state of emergency or disaster involving a geographic area within the jurisdiction of the public body and the nature of the emergency or disaster would cause a meeting of the public body conducted pursuant to the other provisions of this Chapter to be detrimental to the health, safety, or welfare of the public.
 - (2) The presiding officer of the public body certifies on the notice of the meeting that the agenda of the meeting is limited to one or more of the following:
 - (a) Matters that are directly related to the public body's response to the disaster or emergency and are critical to the health, safety, or welfare of the public.
 - (b) Matters that if they are delayed will cause curtailment of vital public services or severe economic dislocation and hardship.
- (c) Matters that are critical to continuation of the business of the public
 body and that are not able to be postponed to a meeting held in accordance with
 the other provisions of this Chapter due to a legal requirement or other deadline
 that cannot be postponed or delayed by the public body.

- (3) The public body and its presiding officer comply with all of the requirements of this Section.
- B. No later than twenty-four hours prior to a meeting conducted pursuant to the provisions of this Section, the public body shall provide for all of the following:
- (1) The notice and agenda for the meeting, which shall be posted on the website of the public body, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the public body.
- (2) Detailed information regarding how members of the public may participate in the meeting and submit comments regarding matters on the agenda, which information shall be posted on the website of the public body, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the public body.
 - C. For each meeting conducted pursuant to this Section:
- (1) The public body shall provide a mechanism to receive public comment electronically both prior to and during the meeting.
- (2) The public body shall properly identify and acknowledge all public comments during the meeting and shall maintain those comments in its record of the meeting.
- (3) The presiding officer of the public body shall ensure that each person participating in the meeting is properly identified.
- (4) The presiding officer shall ensure that all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants in the meeting including the public.
- D. For the purposes of this Section, the following words and phrases shall have the following meanings:
- (1) "Meeting via electronic means" shall mean a meeting occurring via teleconference or video conference.
- (2) "Teleconference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to hear and otherwise communicate with each other.
- (3) "Video conference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and otherwise communicate with each other.

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§29. State Bond Commission; teleconference meetings

- A. Subject to the limitations set forth in this Section, the State Bond Commission may hold periodic meetings via electronic means as defined in R.S. 42:17.1 as part of a regular schedule if such meetings comply with all of the following:
- (1) A physical anchor location for the meeting shall be established from which the meeting shall originate and at which the presiding officer of the meeting shall be present and conduct the meeting. Any member of the State Bond Commission or any member of the public may participate in person at the anchor location.
- (2) Such meetings shall comply with the requirements of R.S. 42:14, 16, 17, 19, 20, and 23.
- (3) The State Bond Commission shall adopt and publish procedures for notice of and the conduct of such meeting in advance thereof including but not limited to the means for participation and providing testimony or public comment prior to and during the meeting, including a toll-free call in line for participants and the public, the number for which shall be posted on the website of the State Bond Commission.

1	(4) All public comments received in writing or by email shall be read
2	into the record during the meeting.
3	(5) All votes taken in the meeting shall be by roll call vote.
4	(6) The entire meeting with the exception of a duly called executive
5	session shall be audible to the public and broadcast over the internet.
6	(7) The meeting shall be recorded and made available to the public in
7	an online archive located on the website of the State Bond Commission.
8	(8) If a problem occurs that causes the meeting to no longer be visible
9	or audible to the public, the meeting shall be recessed until the problem is
10	resolved. If the problem is not resolved in two hours or less, the meeting shall
11	be adjourned.
12	B.(1) The number of meetings held via electronic means authorized by
13	this Section shall be one teleconference meeting per quarter during a calendar
14	<u>year.</u>
15	(2) Under no circumstances shall the State Bond Commission conduct
16	successive meetings by teleconference.
17	C. A meeting held pursuant to this Section shall not require a quorum
18	to be present at the anchor location of the meeting. All members of the State
19	Bond Commission participating at the anchor location or electronically shall be
20 21 22 23 24 25 26 27	counted for purpose of establishing a quorum.
21	D. The provisions of this Section shall not limit the conduct of meetings
22	via electronic means during a gubernatorially proclaimed or declared disaster
23	or emergency in the manner provided by R.S. 42:17.1.
24	E. The State Bond Commission may adopt rules, regulations, and
25	procedures to allow the public to participate in a meeting via electronic means.
26	F. For purposes of this Section, "anchor location" means the physical
27	location from which the meeting via electronic means originates or the
28	participants are connected.
29	G. The provisions of this Section shall cease to be effective on August 1,
30	2022."