

CONFERENCE COMMITTEE REPORT

HB 853

2016 Regular Session

Robert Johnson

June 5, 2016

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. 853 by Representative Robert Johnson, recommend the following concerning the Reengrossed bill:

1. That Amendment No. 1 by the Legislative Bureau (#3211) be adopted.
2. That Senate Floor Amendment No. 3 by Senator LaFleur (#3803) be adopted.
3. That Senate Floor Amendments Nos. 1, 2, and 4 by Senator LaFleur (#3803) be rejected.
4. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 10, after "members" insert a comma "," and "at least three of whom shall be minorities,"

AMENDMENT NO. 2

On page 2, at the end of line 22, delete "the", delete line 23 in its entirety, and at the beginning of line 24, delete "Legislature" and insert "this Paragraph"

AMENDMENT NO. 3

On page 2, between lines 25 and 26, add the following:

"(4) The mayor of Simmesport or his designee, who shall be a member of the board of aldermen of the town of Simmesport, shall be an ex-officio nonvoting member of the commission.

(5) Except as in Paragraph (4) of this Subsection, no person who holds an elective public office of any kind in federal, state, or local governments shall be appointed or serve as a member of the commission. Any member of the commission who, during his term of office, is elected to such office shall be deemed to have resigned from the commission by virtue of being elected to such public office."

Respectfully submitted,

Representative Robert A. Johnson

Senator Eric LaFleur

Representative Kenny Havard

Senator Patrick Page Cortez

Representative Jeffrey "Jeff" Hall

Senator Ronnie Johns

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

HB 853

2016 Regular Session

Robert Johnson

Keyword and oneliner of the instrument as it left the House

PORTS/HARBORS/TERMINALS: Changes the composition of the Avoyelles Parish Port Commission

Report adopts Senate amendments to:

1. Require a majority of the legislators consisting of the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32 appoint one nominee from each list of nominees submitted pursuant to proposed law to serve as commissioners.
2. Make a technical change.

Report rejects Senate amendments which would have:

1. Added that at least one member of the Avoyelles Parish Port Commission is required to be a minority.
2. Provided that each member of the police jury of Avoyelles Parish is required to submit a list of at least two and not more than three nominees, at least one of whom is a minority rather than submitting a list of three nominees for commissioners.
3. Added that if the president of the commission is not appointed to the commission pursuant to proposed law, then the president of the commission on the effective date of proposed law will be an ex-officio non-voting member of the commission who will serve until Jan. 1, 2020.

Report amends the bill to:

1. Require that at least three of the nine commissioners be minorities.
2. Add that the mayor of Simmesport or his designee, who will be required to be a member of the board of aldermen of the town of Simmesport, will be an ex-officio nonvoting member of the commission.
3. Add that no person, except for the mayor of Simmesport or his designee who will be required to be a member of the board of aldermen of the town Simmesport, who holds an elective public office of any kind in federal, state, or local governments will be appointed or serve as a member of the commission. Specifies that anyt member of the commission who, during his term of office, is elected to such office will be deemed to have resigned from the commission by virtue of being elected to such public office.
4. Makes a technical change.

Digest of the bill as proposed by the Conference Committee

Present law creates the Avoyelles Parish Port Commission.

Proposed law retains present law.

Present law provides that the Avoyelles Parish Port Commission is composed of seven members who shall serve without compensation and who shall be appointed as follows:

- (1) Four commissioners appointed by the governing authority of the parish of Avoyelles.
- (2) Two commissioners appointed by the governing authority of the town of Simmesport.
- (3) One commissioner elected by the appointed commissioners at their initial meeting.

Present law provides that commissioners are appointed for terms of six years.

Proposed law removes present law and instead provides that the commission will be composed of nine members with one member domiciled in each police jury district, at least three of whom required to be minorities, who shall serve without compensation and who will be appointed subject to Senate confirmation.

Proposed law requires each member of the police jury of Avoyelles Parish to submit a list of three nominees from his respective district to the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32. Each nominee will be required to be domiciled in the police jury district that the police jury member represents.

Proposed law requires a majority of the legislators consisting of the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32 to appoint one nominee from each list of nominees submitted to serve as commissioners.

Proposed law provides that the mayor of Simmesport or his designee, who will be required to be a member of the board of aldermen of the town of Simmesport, will be an ex-officio non-voting member of the commission.

Proposed law provides that no person who holds an elective public office of any kind, except for the mayor of Simmesport or his designee who will be required to be a member of the board of aldermen of the town Simmesport, in federal, state, or local governments will be appointed or serve as a member of the commission. Specifies that any member of the commission who, during his term of office, is elected to such office will be deemed to have resigned from the commission by virtue of being elected to such public office

Proposed law requires that the initial commissioners appointed following the effective date of proposed law would serve until Jan. 12, 2020. Thereafter, any commissioner appointed would serve a term of four years.

(Amends R.S. 34:1801)