

CONFERENCE COMMITTEE REPORT

HB 149

2021 Regular Session

Frieman

June 9, 2021

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. 149 by Representative Frieman, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Floor Amendments proposed by Senator Reese (#3541) be adopted.
- 2. That the set of Senate Floor Amendments proposed by Senator Mills (#3553) be adopted.
- 3. That the set of Senate Floor Amendments proposed by Senator Luneau (#3384) be rejected.

Respectfully submitted,

Representative Lawrence "Larry" Frieman

Senator Sharon Hewitt

Representative John M. Stefanski

Senator Mike Reese

Representative Alan Seabaugh

Senator Fred H. Mills 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
HB 149
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Keyword and oneliner of the instrument as it left the House

LEGISLATIVE POWERS: Provides relative to termination of emergency declarations

Report adopts Senate amendments to:

1. Change provisions requiring a majority of the surviving members of either house to sign a petition to terminate a state of emergency or public health emergency to requiring a majority of the members of both houses to sign the petition and make related changes to the duties of the clerical officers.
2. Require the legislature to consult with the legislative fiscal office and require the legislative fiscal office to present the legislature with an estimate of the fiscal impact of early termination of a state of public health emergency or any section or subsection of the declaration of the public health emergency prior to the filing of a petition to terminate.

Report rejects Senate amendments which would have:

1. Added provisions to authorize the La. State Uniform Construction Code Council to extend the time it is required to submit an updated code to the legislative oversight committees by one year.
2. Suspended the authority of the La. State Uniform Construction Code Council to adopt most recent additions to the various codes until August 1, 2022.

Digest of the bill as proposed by the Conference Committee

Present law provides that a disaster, emergency, or public health emergency shall be declared by executive order or proclamation of the governor if the governor finds that a disaster or emergency has occurred or the threat thereof is imminent.

Present law also provides that the state of disaster, emergency, or public health emergency shall continue until the governor finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster, emergency, or public health emergency by executive order or proclamation.

Present law provides that no state of disaster, emergency, or public health emergency may continue for longer than 30 days unless renewed by the governor.

Present law authorizes the legislature to terminate an emergency declaration of a state of disaster, emergency, or public health emergency by petition of a majority of the surviving members of either house of the legislature. Relative to public health emergencies, provides for the legislature to be in consultation with the public health authority (defined in present law as the secretary of the La. Dept. of Health, or his designee, and the state health officer).

Proposed law specifies that the legislature may terminate the entire state of emergency or any section or subsection of an emergency declaration by petition signed by a majority of the members of both houses of the legislature. Relative to public health emergencies, provides for the members of both houses of the legislature to terminate the emergency by petition after consulting with the legislative fiscal office and a public health specialist who has a degree from a school of public health that is accredited by an institutional accrediting agency recognized by the U.S. Dept. of Education. Proposed law requires the legislative fiscal office to estimate the fiscal impact of early termination of a public health emergency or any section or subsection of the executive order relative thereto prior to the filing of a petition to terminate.

Present law provides that the petition terminating an emergency declaration may establish a period during which no other declaration of emergency may be issued. Proposed law limits present law to situations related to the specific state of disaster or emergency or any section or subsection or the order or proclamation that was terminated.

Proposed law requires the petition terminating an emergency declaration be transmitted to the clerk of the House of Representatives and the secretary of the Senate and requires the clerk and the secretary to transmit the petition to the governor.

Proposed law provides that the petition terminating an emergency declaration becomes effective upon transmission of the petition to the governor.

Proposed law further provides that the clerk of the House of Representatives and the secretary of the Senate shall disseminate the petition to the general public and file it with specified executive branch agencies.

Effective Jan. 8, 2024.

(Amends R.S. 29:724(B)(2) and 768(B))