DIGEST

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CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 94 by Representative Cromer

Keyword and oneliner of the instrument as it left the House

SUNSET LAW: Re-creates the Dept. of Insurance

Report rejects Senate amendments which would have:

1. Made technical changes.

Report amends the bill to:

1. Provide relative to the office of consumer advocacy. Provides that the deputy commissioner of the office of consumer advocacy will have the same benefits as the majority of the deputy commissioner of the Department of Insurance.

2. Further provides that the office of consumer advocacy shall be staffed with at least three full-time professional level civil service employees.

3. Deletes requirement that deputy commissioner can only be terminated for cause shown.

Digest of the bill as proposed by the Conference Committee

Present law (Sunset) provides that the Dept. of Insurance and all the statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2012, and that all legislative authority for such entities shall cease as of July 1, 2013, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Insurance and its statutory entities, effective June 30, 2012, in accordance with the "sunset" law. Supersedes the provisions of the "sunset" law which set out the procedure for review and re-creation and which require a separate bill to re-create each statutory entity within the department along with additional provisions. July 1, 2017, is the new termination date and termination would begin July 1, 2016, unless the department is again re-created.

Present law provides for the deputy commissioner for consumer advocacy in the La. Dept. of Insurance, who shall be appointed by the commissioner of insurance with consent of the Senate and who shall serve at the pleasure of the commissioner at a salary fixed by the commissioner.

Proposed law retains present law. Provides, however, that the selection of the deputy commissioner will be with the advice and concurrence of the Senate and House committees on insurance.

Present law provides that the deputy commissioner shall serve at the pleasure of the commissioner at a salary fixed by the commissioner.

Proposed law retains present law and adds that the salary and benefits shall be the same as the majority of the deputy commissioners of the La. Dept. of Insurance.

Proposed law provides that the office of consumer advocacy shall be staffed with no fewer than three full-time professional-level civil service employees to handle complaints, inquiries and outreach. The office of consumer advocacy shall be staffed with no fewer than two full-time journeyman-level civil service employees to assist the professional level employees. The office of consumer advocacy shall have an administrative assistant designated by the deputy commissioner to handle travel, scheduling, office management, and any other duties assigned by the deputy commissioner.

Present law provides that the office of consumer advocacy may be housed within the La. Dept. of Insurance or in satellite offices as outlined in the rules and regulations implemented by the commissioner pursuant to present law.

Proposed law provides that the office of consumer advocacy shall be housed within the La. Dept. of Insurance and as funding is available, open satellite offices as outlined in the rules and regulations implemented by the commissioner.

Present law provides that the deputy commissioner for consumer advocacy can only be terminated for cause shown.

Proposed law provides that the deputy commissioner for consumer advocacy may be terminated without cause shown.

Effective June 30, 2012.

(Amends R.S. 36:696(A) and (C); Adds R.S. 49:191(6)(a); Repeals R.S. 49:191(4)(b))