

CONFERENCE COMMITTEE REPORT

HB 971

2024 Regular Session

Wright

May 31, 2024

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. 971 by Representative Wright, recommend the following concerning the Reengrossed bill:

1. That the set of amendments by the Legislative Bureau (#3774) be adopted.
2. That Senate Committee Amendments Nos. 1 through 3 and Nos. 5 through 9 by the Senate Committee on Transportation, Highways and Public Works (#3668) be adopted.
3. That Senate Committee Amendment No. 4 by the Senate Committee on Transportation, Highways and Public Works (#3668) be rejected.
4. That the following amendment to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 22, after "governor" and before "as" insert "from a list of four nominated individuals, submitted per port classification by the Port Association of Louisiana,"

Respectfully submitted,

Representative Mark Wright

Senator Mark Abraham

Representative Ryan Bourriaque

Senator Patrick Connick

Representative Jacob Braud

Senator Patrick McMath

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 971

2024 Regular Session

Wright

Keyword and oneliner of the instrument as it left the House

PORTS/HARBORS/TERMINALS: Creates the Louisiana Ports and Waterways Investment Commission

Report adopts Senate amendments to:

1. Make technical changes.
2. Clarify that the board is to be composed of the commissioner of multimodal commerce in the Department of Transportation and Development who will serve as the vice-chairman.
3. Specify that the classifications of ports as inland, coastal, and deepwater must be in accordance with the Louisiana's Auditor's Informational regarding Louisiana's Public Port System, dated January 31, 2024, and allows for any subsequent updates as needed.
4. Remove a provision that would have repealed Act No. 61 and Act No. 459 of the 2023 Regular Session.
5. Repeal provisions of law relative to the La. International Deep Water Gulf Transfer Port Authority, the Port Development Advisory Commission, and the office of port development.
6. Require that members appointed by the governor be the executive director of their specific port or his designee, subject to Senate confirmation.

Report rejects Senate amendments which would have:

1. Clarified that six members be appointed by the governor from a list of names of nominated individuals submitted by the Port Association of Louisiana.

Report amends the bill to:

1. Specify that six members will be appointed by the governor from a list of four nominated individuals, submitted per port classification by the Port Association of Louisiana.

Digest of the bill as proposed by the Conference Committee

Proposed law creates the La. Ports and Waterways Investment Commission to serve as an advocate for all of the state's ports, to articulate a vision for the future of the state's ports and waterways investment through the development of strategic plan and investment program for such purpose, to provide focus and coordination for the state's efforts to attract international trade to the state's ports, to set funding priorities for the development and growth of the state's ports and its water transportation system, and to leverage the financing capacity of the state's ports through coordinated financing arrangements.

Proposed law provides for governance of the commission by a board of directors composed of the following members:

- (1) One member appointed by the governor and who will serve as chairman.
- (2) The commissioner of multimodal commerce in the Dept. of Transportation and Development, who will serve as vice chairman.
- (3) The secretary of the Dept. of Economic Development or his designee.
- (4) One member of the House of Representatives appointed by the speaker of the House of Representatives.
- (5) One member of the Senate appointed by the president of the Senate.
- (6) Six members, each of whom must be the executive director of their port or their designee, appointed by the governor from a list of four nominated individuals, submitted per port classification by the Ports Association of La., and confirmed by the Senate to be determined as follows:
 - (a) Two members from inland ports.
 - (b) Two members from coastal ports.
 - (c) Two members from deep water ports.
- (7) One representative of the La. Railroads Association appointed by the governor.
- (8) One representative of the La. Motor Transport Commission appointed by the governor.

Proposed law provides the classification of ports as inland, coastal and deepwater must be in accordance with the La. Legislative Auditor's Informational Report regarding Louisiana's Public Port System, dated Jan. 31, 2024, and any subsequent updates or as amended from time to time.

Proposed law requires a majority of the members of the board to constitute a quorum for the transaction of business and all official action of the board requires the favorable vote of 2/3rds the entire membership of the board.

Proposed law requires the commission to do the following:

- (1) Represent the public interest in the administration of proposed law.
- (2) Promulgate and amend rules and regulations necessary for the administration of the functions of the commission.
- (3) Organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs vested in the commission.
- (4) Advise the commissioner on problems concerning the administration of the commission and the functions and operations of La. ports.
- (5) Make reports and recommendations.
- (6) Compile and provide all information necessary for confecting an annual budget.

Proposed law authorizes the commission to do the following:

- (1) Employ personnel as necessary.
- (2) Accept and use, in accordance with the law, gifts, grants, bequests, and endowments for purposes consistent with the responsibilities and functions of the commission and

take such actions as are necessary to comply with any conditions required for such acceptance.

- (3) Do such other things, consistent with the law, as are necessary to perform properly the functions vested in it.

Proposed law requires a 2/3rds vote for any decision by the commission.

Proposed law requires the board to develop a strategic plan and investment program for the economic development of La. Ports. In addition, requires the board to review, revise, and amend the strategic plan and investment program when necessary, or every two years.

Proposed law requires that the strategic plan and investment program be separate and distinct from the port priority program with the office of multimodal commerce.

Proposed law requires the board to submit the plan and program, or revisions to the La. Board of International Commerce for review and advice.

Proposed law specifies that the strategic plan and investment program will only receive an appropriation upon agreement of the governor and the legislature.

Proposed law requires that after the adoption of a plan or revisions, that the board submit the plan or revisions to the House and Senate committees on Transportation for review and comment. Specifies that the committees, acting individually or jointly, have 60 days to hold a hearing on the plan or revisions. Additionally, requires the board to consider the committee's recommendations.

Proposed law requires the plan or program be submitted to the La. Board of International Commerce for review and advice.

Proposed law requires the strategic plan and investment program to include but not be limited to the following:

- (1) A list of projects and programs intended to enhance trade utilizing La. ports.
- (2) A schedule and estimated cost for the implementation of each project or program.

Present law created the La. International Deep Water Gulf Transfer Terminal Authority, the Southeast La. Port Authority Advisory Commission, and the office of port development within the Dept. of Economic Development.

Proposed law repeals present law.