

CONFERENCE COMMITTEE REPORT

HB 86

2018 Regular Session
May 18, 2018

James

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. 86 by Representative James, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Committee amendments by the Senate Committee on Senate and Governmental Affairs (#3177) be rejected.
- 2. That the set of Legislative Bureau amendments (#3331) be rejected.
- 3. That the Senate Floor Amendments by Senator Riser (#3558) be rejected.
- 4. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "(44)" and before the comma "," insert "and (45)"

AMENDMENT NO. 2

On page 1, line 5, after "conditions;" insert "to provide an exception to allow the continuation of certain contracts with hospitals in certain hospital service districts under certain circumstances;"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 42:1123(44) is" to "R.S. 42:1123(44) and (45) are"

AMENDMENT NO. 4

On page 1, after line 16, insert the following:

"(45) The continuation and renewal of a contract for the operation of a food-related retail establishment between a legal entity in which an elected official's immediate family member owns an interest and a hospital or hospital service district in a parish with a population of one hundred fifty thousand persons or less in accordance with the most recent federal decennial census if the original contract was entered into at least one year prior to the elected official's election as an agency head of the governmental entity of the hospital service district and if the original contract was not prohibited."

Respectfully submitted,

Representative Edward "Ted" James

Senator Karen Carter Peterson

Representative Stephen E. Pugh

Senator Neil Riser

Representative Sherman Mack

Senator Mack "Bodi" White, 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 86**2018 Regular Session****James**
Keyword and oneliner of the instrument as it left the House

ETHICS: Provides an ethics exception to allow governing authority members and employees of a political subdivision or special district that operates parks and recreation facilities and the immediate family members of such persons to rent a facility for an event subject to certain conditions

Report rejects Senate amendments which would have:

1. Added an exception to allow a public servant, immediate family member, or legal entity in which such a person owns an interest to fulfill or renew a contract under the supervision or jurisdiction of the public servant's agency if the original contract was entered into at least one year prior to the public servant's public service in the agency and was not prohibited at that time.

Report amends the bill to:

1. Add an exception to allow the continuation and renewal of a contract for the operation of a food-related retail establishment between a legal entity in which an elected official's immediate family member owns an interest and a hospital or hospital service district in a parish with a population of 150,000 persons or less if the original contract was entered into at least one year prior to the elected official's election as an agency head of the governmental entity of the hospital service district and if the original contract was not prohibited.

Digest of the bill as proposed by the Conference Committee

Present law (R.S. 42:1113(A) and (B) – ethics code) prohibits a public servant or his immediate family member from entering into a transaction under the supervision or jurisdiction of the agency of the public servant and further prohibits an appointed board or commission member or a member of his immediate family from entering into or being in anyway interested in a transaction under the supervision or jurisdiction of the board or commission.

Proposed law provides an exception to allow a governing authority member or public employee of a political subdivision that operates parks or recreational facilities or an immediate family member of such a person to rent a park or recreation facility under the supervision or jurisdiction of the political subdivision for an event provided that the transaction is conducted without preference and in the same manner and subject to the same fees and conditions applicable to the general public.

Proposed law provides an additional exception to allow the continuation and renewal of a contract for the operation of a food-related retail establishment between a legal entity in which an elected official's immediate family member owns an interest and a hospital or hospital service district in a parish with a population of 150,000 persons or less if the original contract was entered into at least one year prior to the elected official's election as an agency head of the governmental entity of the hospital service district and if the original contract was not prohibited.

(Adds R.S. 42:1123(44) and (45))