

CONFERENCE COMMITTEE REPORT

HB 404

2019 Regular Session

Schexnayder

June 6, 2019

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. 404 by Representative Schexnayder, recommend the following concerning the Engrossed bill:

1. That the set of Senate Committee Amendments by the Committee on Judiciary C (#3316) be rejected.
2. That the set of amendments by the Legislative Bureau (#3361) be rejected.
3. That the set of Senate Floor Amendments by Senator Peterson (#3449) be rejected.
4. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 39:100.116(A)(13)," and before "R.S. 44:4.1(B)(8)," insert "R.S. 40:2844(B)(introductory paragraph),"

AMENDMENT NO. 2

On page 1, at the end of line 2, after "R.S. 48:77(B)(3)" and before "and" insert a comma "," and "to enact R.S. 40:2844(B)(25),"

AMENDMENT NO. 3

On page 2, line 9, after "Force;" insert "to provide relative to the membership of the governing board of the Louisiana Emergency Response Network;"

AMENDMENT NO. 4

On page 5, between lines 3 and 4, insert the following:

**"Governing board, Louisiana Emergency Response Network**

Section 7. R.S. 40:2844(B)(introductory paragraph) is hereby amended and reenacted and R.S. 40:2844(B)(25) is hereby enacted to read as follows:

§2844. Governing board; membership, appointment, terms, compensation, vacancies

\* \* \*

B. The network shall be governed by a board of ~~twenty-eight~~ twenty-nine members which shall include:

\* \* \*

(25) One member who shall be a representative of a burn center that is verified by the American Burn Association.

\* \* \*

AMENDMENT NO. 5

On page 5, at the beginning of line 4, change "Section 7." to "Section 8."

AMENDMENT NO. 6

On page 5, at the beginning of line 9, change "Section 8." to "Section 9."

Respectfully submitted,

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Representative Clay Schexnayder

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Senator Karen Carter Peterson

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Representative Gregory Miller

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Senator Jay Luneau

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Representative John "Johnny" Berthelot

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Senator Eric LaFleur

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 404**

**2019 Regular Session**

**Schexnayder**

**Keyword and oneliner of the instrument as it left the House**

BOARDS/COMMISSIONS: Abolishes certain boards, commissions, authorities, like entities, and related funds

**Report adopts Senate amendments to:**

1. Add a representative of a burn center verified by the American Burn Association to the governing board of the Louisiana Emergency Response Network.

**Report rejects Senate amendments which would have:**

1. Removed the Advisory Committee on Equal Opportunity from the entities being abolished.
2. Added the Medical Education Commission to the entities being abolished.

**Report amends the bill to:**

1. Provide for adding a representative of a burn center verified by the American Burn Association to the governing board of the Louisiana Emergency Response Network in the manner provided by the Senate Committee Amendments.

**Digest of the bill as proposed by the Conference Committee**

Proposed law adds a member to the governing board of LERN and provides for the abolition of certain boards, commissions, authorities, like entities and related funds and abolishes the powers, functions, duties, and responsibilities of such entities, and removes references and related provisions all as follows:

Witness Protection Services Board and the Witness Protection Services Act

Present law establishes the Witness Protection Services Act to foster the full and voluntary cooperation of witnesses and provide services that may assist in protecting witnesses to obtain such cooperation. Creates the Witness Protection Services Board, consisting of seven members, within the office of the governor and provides its powers, functions, and duties of the board. Provides that the board consider or act on matters concerning the identity, location, or award of protection to critical witnesses or their immediate family, including armed protection or escort, marked or unmarked surveillance, or periodic visits or contact by law enforcement officials prior, during, or subsequent to a criminal proceeding; physical relocation to an alternate shelter, housing, or residence; and reasonable housing expenses. Provides for immunity for the board and its members in providing or failing to provide witness protection services. Proposed law repeals present law.

Workforce and Innovation for a Stronger Economy Strategic Planning Council and  
Workforce and Innovation for a Stronger Economy Fund

Present law establishes the WISE Council comprised of the president-chancellor of the Louisiana State University System, the president of the Southern University System, the president of the University of Louisiana System, the president of the Louisiana Community and Technical College System, the commissioner of higher education, the secretary of the Dept. of Economic Development (DED), the executive director of the La. Workforce Commission (LWC), and the chairman of the La. Workforce Investment Council, within the Board of Regents. Requires the WISE Council to develop a statewide workforce and gap analysis and requires the WISE Council to review implementation plans submitted by the institutions. Present law creates the WISE fund, within the state treasury as a special fund for the purpose of funding degree and certificate production and research priorities in high demand fields through programs offered by La.'s public postsecondary education institutions to meet the state's current and future workforce and innovation needs. Proposed law repeals present law and repeals provisions of present law (Act No. 612 of the 2018 R.S.) which repeals the WISE fund in 2020 and proposed law further directs the state treasurer to transfer any unencumbered balance remaining in the fund to the state general fund after satisfying appropriations for FY 2018-2019.

#### Advisory Committee on Equal Opportunity

Present law creates the Advisory Committee on Equal Opportunity within the Department of Insurance, in the division of diversity and opportunity. Provides that the committee shall be composed of twenty-five members to assist the commissioner of insurance and the division of diversity and opportunity in establishing educational and informational services to foster a greater awareness of the opportunities available in the insurance industry and of the skills, training, and education necessary to prepare for opportunities in employment, appointment as producers, and contracting for services with insurance companies transacting business in Louisiana. Further requires the division of diversity and opportunity to assist in coordinating the activities of the advisory committee. Proposed law repeals present law.

#### Louisiana State Transportation Infrastructure Bank and Louisiana State Transportation Infrastructure Fund

Present law creates the La. State Transportation Infrastructure Bank and its board of directors within the Dept. of the Treasury for the purpose of selecting and assisting in financing eligible transportation projects by providing loans and other financial assistance to municipalities, parishes, publicly operated ports, harbors, or terminal districts, publicly operated airports, publicly operated ferries, or publicly operated transit systems in the state for planning, constructing, and improving transportation facilities necessary for public purposes. Provides that any loan or other financial assistance shall be made pursuant to a cooperative endeavor agreement between the bank and a qualified borrower. Additionally creates the La. State Transportation Infrastructure Fund as a special fund in the state treasury. Monies in the fund are to be used exclusively by the bank to provide assistance to qualified borrowers for eligible transportation projects as may be permitted by law or regulations. Provides that the bank shall establish and maintain at least the four following accounts in the fund: state and local roadway account, state and local nonroadway account, federal roadway account, and the federal nonroadway account. Dedicates 7% of the phased in deposits of the tax on the sale, use, lease or rental, the distribution, consumption, and the storage of motor vehicles and specified mineral revenues to the fund to be used exclusively for final design and construction and not for studies. Proposed law repeals present law and provides that allocation of revenues to the La. State Transportation Infrastructure Fund shall be dedicated to the Transportation Trust Fund to be used exclusively for final design and construction and not for studies.

#### Louisiana Aquatic Invasive Species Council and the Louisiana Aquatic Invasive Species Advisory Task Force

Present law creates the La. Aquatic Invasive Species Council in the Dept. of Wildlife and Fisheries, composed of the following people or their designees: (a) governor; (b) secretary of DWF; (c) secretary of DNR; (d) secretary of DEQ; (e) commissioner of agriculture; (f) secretary of DOTD; (g) secretary of DHH; (h) state superintendent of education; and (i) secretary of DCRT. Further creates the La. Aquatic Invasive Species Advisory Task Force

in the Dept. of Wildlife and Fisheries to assist the council. Provides that the council, with the advice of the task force, is charged with implementation of the La. Invasive Aquatic Species Management Plan; coordination of the efforts of the state, the region, and the nation to control, prevent or eradicate invasive or potentially invasive aquatic species; implement the management plan's goals to prevent and control the introduction of new non-indigenous aquatic species, to control the spread of existing invasive aquatic species and to eradicate already established invasive aquatic species; identify funding sources; and submit a status report to the legislature every two years in even-numbered years. Proposed law repeals present law.

#### Governing board, La. Emergency Response Network

Present law creates and provides relative to the La. Emergency Response Network (LERN) and further provides relative to the membership of the governing board of LERN. Proposed law adds a representative of a burn center that is verified by the American Burn Association to the governing board of LERN..

Proposed law further provides that the property and funds, if any, of the entities or funds abolished by proposed law that are not otherwise transferred by proposed law shall be the property of the state and the state treasurer shall provide for the deposit of such funds in the state treasury to the credit of the state general fund, after deposit in the Bond Security and Redemption Funds as provided by law.

Effective June 30, 2019.

(Amends R.S. 39:100.116(A)(13), R.S. 40:2844(B)(intro. para.), R.S. 44:4.1(B)(8), and R.S. 48:77(B)(3); Adds R.S. 40:2844(B)(25); Repeals R.S. 15:1601 - 1614, R.S. 17:3138.4, R.S. 22:31(A)(1) and 32, R.S. 36:4(O), 610(J), 686(C)(4), and 769(M), R.S. 48:81 - 90.1, R.S. 56:360.1 - 360.3, and Section 5 of Act No. 612 of the 2018 R.S.)