

CONFERENCE COMMITTEE REPORT

HB 376

2015 Regular Session

Harris

June 10, 2015

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. 376 by Representative Harris, recommend the following concerning the Reengrossed bill:

- 1. That Senate Committee Amendments Nos. 1 and 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 6, 2015, be adopted.
- 2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 10, after "determine" and before "if services" insert "in accordance with this Section"

AMENDMENT NO. 2

On page 2, at the beginning of line 23, change "(2)" to "(b)"

AMENDMENT NO. 3

On page 4, line 26, after "Regents has" delete the remainder of the line and insert the following:

"been notified in accordance with R.S. 39:136 of possible services called for that are"

AMENDMENT NO. 4

On page 4, after line 29, insert the following:

"Section 2. This Act shall become effective on September 1, 2015."

Respectfully submitted,

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Representative Lance Harris

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Senator Jack Donahue

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Representative James R. Fannin

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Senator Conrad Appel

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Representative Jerome Richard

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Senator Dan Claitor

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 376**

**2015 Regular Session**

**Harris**

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

PROCUREMENT: Grants public and private postsecondary institutions greater participation in receiving and monitoring contracts and federal grants

**Report adopts Senate amendments to:**

1. Specify that private postsecondary institutions shall have the same meaning as provided in present law.

**Report amends the bill to:**

1. Delete the requirement that state agencies certify that Board of Regents has determined the services called for under certain contracts are not readily susceptible of being performed by employees or students of postsecondary institutions.
2. Require that state agencies certify that the Board of Regents has been notified in accordance with proposed law of possible services of the type readily susceptible of being performed by employees or students of postsecondary institutions.
3. Become effective on September 1, 2015.

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

Proposed law requires the Board of Regents to develop an electronic notification system to assist in providing opportunities for public and private postsecondary institutions to receive, administer, or monitor federal grants received by the state. Requires state agencies to notify the Board of Regents of federal grant programs for which the agency is responsible.

Proposed law requires state agencies to notify the Board of Regents prior to initiating any competitive RFP for any contract fully funded by federal funds. The Board of Regents shall develop guidelines and procedures to provide for notifying public and private postsecondary institutions of the services called for by such federally funded contracts and coordinating responses of the institutions to determine if the services called for are readily susceptible of being performed by employees or students of such institutions.

Proposed law shall only apply to grant programs fully funded with federal funds, excluding programs administered by the Community Development Block Grant (CDBG) Program and grants that require matching funds.

Proposed law defines private postsecondary institutions as having the meaning provided in present law for the TOPS Program (R.S. 17:3048.1).

Present law requires that, for contracts awarded through an RFP process, the agency shall give notice in the official journal of the state and provide written notice to persons, firms, or corporations who are known to be in a position to furnish such services prior to the last day proposals will be accepted.

Proposed law additionally requires the agency to provide notice to the Board of Regents prior to the last day proposals will be accepted.

Present law requires that, prior to approval to enter into a proposed professional, personal, consulting, or social service contract valued in excess of \$5,000, the using agency shall certify to the state chief procurement officer that certain criteria are met, including certification that no employee of that agency is both competent and available to perform the services called for by the proposed contract or the services called for are not the type readily susceptible of being performed by persons who are employed by the state on a continuing basis.

Proposed law additionally requires using agencies to certify that the Board of Regents has been notified in accordance with proposed law of possible services called for of the type readily susceptible of being performed by persons who are employed by or students of a postsecondary institution.

Effective September 1, 2015.

(Amends R.S. 39:1595(A)(2) and (B)(1), (2), and (3); Adds R.S. 39:136 and 1623(A)(8))