



Police Jury Association

NEWS LETTER

707 NORTH 7TH STREET • BATON ROUGE, LOUISIANA 70802-5327 • (225) 343-2835 • FAX (225) 343-0050 OR 336-1344
www.lpgov.org • TOLL FREE (888) 551-2835

June 19, 2009

2009 REGULAR SESSION LEGISLATIVE REPORT #7

COUNTDOWN TO *SINE DIE*

The Legislature is required to adjourn the 2009 Regular Session, *sine die*, (Latin for “without day”) at 6:00 pm on Thursday, June 25th. Under the rules, no bill can be considered for final passage after Monday at 6:00pm. There is a process to suspend the rules to take bills up after that time, but it would require a 2/3 vote of both the House and the Senate to do so. After Monday at 6:00pm the Legislature will only be considering bills that have been amended in the other body and conference committee reports. A conference committee is established when a bill that originated in one body is amended by the other body, then the body of origin rejects the amendments. When that occurs, the Senate President and the Speaker of the House each appoint three members of their respective bodies to a Conference Committee. The committee may or may not have a formal meeting. In consultation with each other, and the parties in interest, the committee members draft a version of the bill that satisfies at least two of the House members and two of the Senate members. Once that minimum number has agreed to the final version of the bill, the proposal is presented to both the House and the Senate for consideration. The bodies can vote yes or no, or vote to send it back to the conference committee for further revision – but the bodies cannot offer floor amendments to the conference committee proposal.

PJAL PACKAGE UPDATE

- | | | |
|--------|-----------|--|
| HB 88 | McVea | Allows any part-time elected official, such as a police juror, to be employed in the government of the U.S. This bill was brought to enable police jurors to work with the US Census Bureau in the upcoming census.
The bill is passed the Senate & Governmental Affairs Committee and is pending consideration by the Senate.
URGE YOUR SENATOR TO SUPPORT HB 88 |
| HB 353 | Monica | Increases the contract limit for public works projects from \$100K to \$150K. This bill was brought because the current contract limit is not adequate to meet the needs of parishes. The increase to \$150K was a compromise with the contractor associations and LABI and the bill has consensus support.
FINALLY PASSED - awaiting the Governor's signature. |
| HB 604 | Aubert | Provides for the exchange of surplus property of a police jury for needed property owned by a private person, if all parties agree. Municipalities can already do such exchanges.
Should be heard on the Senate Floor on Sunday or Monday.
URGE YOUR SENATOR TO SUPPORT HB 604 |
| HB 657 | Danahay | SEE SPECIAL ARTICLE ON BACK |
| HB 765 | Gallot | SEE SPECIAL ARTICLE ON BACK |
| HB 777 | Champagne | Clarifies that appointments to certain boards and commissions and appointments to fill vacancies in elective offices are not prohibited “other transactions” under the Ethics Code. The Senate Committee did add an amendment to address an Ethics issue pertaining to the LA Community and Technical College Board.
The bill should be heard on the Senate Floor on Sunday or Monday. There are expected to be a number of proposed amendments. URGE YOUR SENATOR TO LIMIT AMENDMENTS AND SUPPORT HB 777. |
| HB 782 | Ellington | Provides additional service charge on wireless phone services. |

This bill was brought to make sure that prepaid wireless users were paying their fair share of the costs of operating 911. The bill was amended to make the charge 2% of the costs.

The bill is awaiting House consideration of the Senate Amendments. URGE YOUR REP TO SUPPORT HB 782

HB 823 Danahay

Provides that special service districts that do not have high speed internet service are exempt from the requirements relating to the receipt of bids via high speed internet.

The bill should be considered on the Senate Floor on Mon. URGE YOUR SENATOR TO SUPPORT HB 823

PARISH TRANSPORTATION FUND RULES

HB 657

HB 657 by Danahay was filed to clarify that the special rules set forth in the law for the use of Parish Transportation Fund money only apply to PTF money and not to all parish funds spent on road projects. The Legislative Auditor, citing an old line of AG opinions has taken the position in some audits that the PTF rules apply to all road expenditures, "regardless of the source of funding". This seemed contrary to the language of the PTF law (RS 48:755) and potentially could have placed parishes in a no-win situation when expending dedicated local tax revenues, such as road district millages or sales taxes dedicate to a particular road project.

HB 657 was unopposed in the House Committee and thus was placed on the Consent Agenda on the House Floor, where it passed on a vote of 96-0. There was some opposition in the Senate Transportation Committee which raised concerns that the bill could be construed to return parishes to the old "ward" or "unit" system of road administration.

The Senate Transportation Comm. agreed with the PJAL's contention that the Legislative Auditor and AG opinions were based on prior law, that HB 657 clarified current law, and HB 657 would not move parishes back to the "ward" or "unit" system of road administration. The Committee did amend HB 657 to address a concern that arose from some of the Senators. The amendment proposes to require parishes to either voluntarily include local revenue funded projects in the PTF road priority program or to establish a separate road priority program for local revenues. The amendment reads as follows:

A parish may receive funds from the Parish Transportation Fund only if public roads, bridges, causeways, dykes, dams, levees, and highways in the parish are administered and maintained pursuant to a parish wide system of administration and a priority program, which may be separate and apart from the program provided for in R.S. 48:755, regardless of the source of the funds.

**WE NEED TO KNOW YOUR VIEWS ON THIS PROPOSED NEW LANGUAGE
CONTACT THE PJAL ON MONDAY AND TELL US TO SUPPORT OR OPPOSE**

MINERAL SEVERANCE TAX DISTRIBUTION

HB 765 / SB21

HB 765 by Gallot started as a proposed Constitutional amendment decreasing the allocation to the state of revenues from the general severance tax on oil and natural gas production, resulting in more of that money going to the parishes where the oil and natural gas are produced. The bill passed the House Floor without objection and 43 co-authors were added. SB 21 by Marionneaux was similar but with some significant differences.

HB 765 and SB 21 have both been amended to mirror each other. Language has been added to set a "trigger" for funding. The current system with CPI included is not disturbed unless an excess of General Severance Tax is collected by the state over the 2008-09 collection of 1.1 billion dollars. At that time parishes can receive the over collection up to 2.85 million per parish. However, the CPI will not be recognized for that year and regardless of the amount collected the parish must receive there percentage allocated by the established excess. We are working with all authors to ensure that the parish allocation is not reduced due to the amendment. Both bills have a 10 million allocation for Atchafalaya Basin Conservation Projects.

**CHECK WWW.LPGOV.ORG FOR
FURTHER UPDATES – COMMITTEE SCHEDULES – BILL TRACKING LISTS**