

## MEMORANDUM

**TO: Louisiana Airport Managers Association**

**FROM: Johnny Koch, Scott Kirkpatrick, and Cary Koch**

**DATE: August 4, 2020**

**RE: Final Legislative Report – 2020 Sessions**

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Attached please find the Final Report of Roedel, Parsons, Koch and the Governmental Relations team of Scott Kirkpatrick, Cary Koch, Lindsey Golden, and me for the Regular and 1<sup>st</sup> Extraordinary (“Special”) sessions of the 2020 Louisiana Legislature. The veto period for both sessions has expired and this report reflects the final status of all legislation tracked for LAMA in “Key”, “Particular”, and “General” interest categories. We encourage particular attention to both “Key” and “Particular” categories and the incorporation with your review of the legislative website, *legis.la.gov*, which provides a complete history of tracked legislation including author, amendments, committee, final votes; and, for the bills which survived the process and became law, the final language of enacted legislation.

The 2020 Regular and Special Sessions required burdensome but necessary “masking”, hand sanitizing, fever-monitoring, social distancing, and other sanitary procedures and practices required by the CDC, President Trump, and Governor John Bel Edwards. State Capitol Coronavirus exigencies, and at home, school, office, and other allowable “shut in” activities dramatically impacted both Regular and Special sessions. The leather recliner in my home became for the most part my office and with electronic/virtual and Zoom capability and opportunity through the internet, text, email, and cell phone communication allowed our team to successfully engage both 2020 sessions in the “new normal” of the Covid-19 pandemic.

Because of the Phase 1, Coronavirus “lockdown” the 2020 Regular Session recessed for 2 weeks, March 17 through March 30, resulting in the loss of 10 meeting days in the 85-calendar days allowed under the Louisiana Constitution in even-year Regular Sessions. The shortened Regular Session required the calling of a June 3-30 Special Session to conclude budget, capital outlay, tort reform, and a scattering of other matters left undone because of the Regular Session recess. Both Appropriations, HB 1, and Construction, HB 2, bills were enacted in the Special Session with little obloquy while the business-backed (LABI) supported segue of Tort Reform measures concluded in a mixed bag of results. The Regular Session momentum for Tort Reform cleared passage of a somewhat watered down version of “insurance reform” in HB 57 by House Speaker, Clay Schexnayder. Interestingly, HB 57, Act 1, resulted in a recently announced 10% reduction in Louisiana automobile insurance rates and the repeal of several provisions negatively impacting the business climate calculations and state-by-state cost comparisons reported annually by several national rating firms removed Louisiana from its ranking as “No. 1” in worst “Tort” liability business climate for both existing business, business recruitment, and new business expansion.

Although successful, the HB 57 Tort Reform successes did not extend to oil and gas industry efforts to “tighten” coastal land loss lawsuits. A coalition of plaintiff attorneys, threat of Gubernatorial veto, and parish government pushback in affected land loss jurisdictions converged to defeat several measures designed to end or make more difficult existing or prospective lawsuits. Regular and Special session Tort Reform efforts dramatically underscore the difference between a conservative “majority” and conservative “super-majority” (2/3 plus) in the process, negotiation, and “votes” on legislation between the Governor and a House-Senate make-up short of a 2/3’s vote to “override” actual or threatened veto!

The State Budget, HB 1, Act 1, probably enjoyed its least contentious pathway leading to final passage in the 2020 Special Session. As recipient of some 900 million dollars in federally Coronavirus-related relief funds the legislature was able to “plug the hole” in both 19-20 and 20-21 state budgets ranging upwards of 500 million dollars in the 20-21 budget and a lingering 400 million shortage in the 19-20 budget. A still unanswered question is whether the revenue estimates upon which the 19-20 / 20-21 budgets were based will prove to be correct. If the actual revenues, including federal Coronavirus infusions, prove insufficient to cover Act 1 spending, it is expected the legislature will reconvene in a 2<sup>nd</sup> Special Session in the Fall to make required budget adjustments required under the “balanced budget” amendment to our State Constitution.

Absent a cure/vaccine in the continuing Coronavirus pandemic, Scott, Cary, Lindsey, and I expect government at all levels, local, state, and federal will play an even more active role in the legislative, business, personal, educational, and civic affairs of Louisiana life. We will endeavor to keep you up-to-date and informed as new laws take effect and even now as we plan for the 2021 Regular

Session and anticipate a 2<sup>nd</sup> Special Session this Fall. Please know how much we value and appreciate the opportunity to work with you personally and with LAMA. On behalf of our team may I extend a big THANK YOU!

If you have any questions or concerns regarding legislation included in this report, Scott, Cary, and I are available to meet with you by phone, text, email, Zoom, or “in person” to address any inquiry you might have. In conclusion and on behalf of Scott, Cary, Lindsey, and me, I wish to thank you for the privilege of representing LAMA. God Bless you, your family, our State, and God Bless America.

**2020 1<sup>ST</sup> EXTRAORDINARY SESSION**  
**LEGISLATION OF INTEREST - ENACTED**

HB 1            Zeringue, Jerome "Zee"(R)  
                  White, Mack "Bodi"(R)      Provides for the ordinary operating expenses of state government for Fiscal Year 2020-2021 (Item #1).  
**Bill History:** Act 1.

HB 2            Bishop, Stuart(R)  
                  Allain, Bret(R)              Provides for the comprehensive Capital Outlay budget (Item #7).  
**Bill History:** Act 2.

HB 57           Schexnayder, Clay(R)  
                  Peacock, Barrow(R)        Enacts the Civil Justice Reform Act of 2020.  
**Bill History:** Act 37.

**2020 REGULAR SESSION**  
**KEY LEGISLATION – FAILED TO PASS**

HB 282           Bagley, Larry(R)              Provides for lease terms of airport facilities.  
**Bill History:** Died in House Transportation Committee.

HB 314           Schamerhorn, Rodney (F)(R) Provides relative to the official journal of parishes, municipalities, school boards, and other political subdivisions.  
**Bill History:** Died in House Municipal and Parochial Affairs Committee.

HB 315           Stefanski, John(R)            Provides relative to meetings of public bodies.  
**Bill History:** Died in House and Governmental Affairs Committee.

HB 470           Brass, Ken(D)                 Provides for penalties for unlawful use of an unmanned aircraft.  
**Bill History:** Died in House Administration of Criminal Justice Committee.

HB 519           Crews, Raymond(R)            Requires the addition of a member with aviation experience to airport authorities.  
**Bill History:** Died in House Transportation Committee.

HB 748           Bagley, Larry(R)              Provides relative to airport facilities.

**Bill History:** Died in House Transportation Committee.

**2020 REGULAR SESSION**  
**LEGISLATION OF PARTICULAR INTEREST**

**HOUSE BILLS – FAILED TO PASS**

HB 197      Zeringue, Jerome "Zee"(R)      Provides relative to the crime of unauthorized entry of a critical  
Allain, Bret(R)      infrastructure.

**Bill History:** Vetoed - "Water Control Structure" is Ill-Defined.

**LEGISLATION OF GENERAL INTEREST**  
**2020 REGULAR SESSION**

**HOUSE/SENATE BILLS – ENACTED**

HB 181      Riser, Neil (F)(R)      Extends cooperative endeavor agreements for use of surface  
Lambert, Eddie(R)      waters.

**Bill History:** Act 66.

HB 307      Zeringue, Jerome "Zee"(R)      Makes supplemental appropriations for Fiscal Year 2019-2020.  
White, Mack "Bodi"(R)

**Bill History:** Act 255.

HB 497      Ivey, Barry(R)      Requires each auditee in state government to provide the  
Hewitt, Sharon(R)      legislative auditor with direct access to data.

**Bill History:** Act 274.

HB 590      Johnson, Mike (F)(R)      Provides relative to the donation of equipment and personnel  
Foil, Franklin (F)(R)      between two political subdivisions.

**Bill History:** Act 279.

HB 697      McCormick, Danny (F)(R)      Provides relative to the Shreveport Metropolitan Planning  
Milligan, Barry (F)(R)      Commission.

**Bill History:** Act 294.

SB 157      Womack, Glen (F)(R)      Provides relative to audit requirements for recipients of state  
Riser, Neil (F)(R)      funds.

**Bill History:** Act 219.

SB 415      Mizell, Beth(R)      Provides relative to fiscal administrators of political  
White, Malinda(D)      subdivisions.

**Bill History:** Act 358.

**HOUSE/SENATE BILLS – FAILED TO PASS**

HB 128      Wright, Mark(R)      Limits monies deposited into the Transportation Trust Fund from being used to pay for certain Dept. of Transportation and Development expenses.

**Bill History:** Died in House Appropriations Committee.

HB 151      Beaulieu, Beau (F)(R)      Provides relative to the use of a petty cash account.

**Bill History:** Died in Senate Local and Municipal Affairs Committee.

HB 161      Hilferty, Stephanie(R)      (Constitutional Amendment) Provides for the establishment of uniform leave policies by law.

**Bill History:** Died in House and Governmental Affairs Committee.

HB 197      Zeringue, Jerome "Zee"(R)  
Allain, Bret(R)      Provides relative to the crime of unauthorized entry of a critical infrastructure.

**Bill History:** Vetoed - "Water Control Structure" is Ill-Defined.

HB 199      Carpenter, Barbara(D)      Requires a contractor for a state construction project to designate no less than two percent of man-hours in any apprenticeable occupation to registered apprentices.

**Bill History:** Died in House Labor and Industrial Relations Committee.

HB 205      Riser, Neil (F)(R)      Requires a contractor for a state construction project to designate no less than two percent of man-hours in any apprenticeable occupation to registered apprentices.

**Bill History:** Died in House Labor and Industrial Relations Committee.

HB 238      Duplessis, Royce (F)(D)      Enacts the Louisiana Employment Non-Discrimination Act.

**Bill History:** Died in House Labor and Industrial Relations Committee.

HB 271      DeVillier, Phillip(R)      Restricts the allocation of cash line of credit capacity for certain projects and provides for the recommendation of projects for lines of credit.

**Bill History:** Died in House Ways and Means Committee.

HB 276      Mack, Sherman(R)      Limits monies deposited into the Transportation Trust Fund from being used to pay for certain Dept. of Transportation and Development expenses.

**Bill History:** Died in House Appropriations Committee.

HB 289	Miguez, Blake(R)	Exempts the Iberia Parish Airport Authority from the public lease laws applicable to certain properties. <b>Bill History:</b> Died in House Transportation Committee.
HB 298	Mack, Sherman(R)	Provides for certain requirements to transfer or exchange state and local roads from the state highway system to a parish or municipality. <b>Bill History:</b> Died in House Transportation Committee.
HB 306	Zeringue, Jerome "Zee"(R)	Provides for the ancillary expenses of state government. <b>Bill History:</b> Died in Senate Finance Committee.
HB 319	Zeringue, Jerome "Zee"(R)	Provides for the ordinary operating expenses of state government for Fiscal Year 2020-2021. <b>Bill History:</b> Died in House Appropriations Committee.
HB 337	Miller, Gregory(R)	Provides relative to the enforcement of claims under public contracts. <b>Bill History:</b> Died in House Transportation Committee.
HB 347	Ivey, Barry(R)	(Constitutional Amendment) Establishes certain ad valorem property tax exemptions. <b>Bill History:</b> Died on House Orders.
HB 440	Stefanski, John(R)	(Constitutional Amendment) Prohibits Dept. of Transportation and Development from using Transportation Trust Fund monies for certain expenses. <b>Bill History:</b> Died in House Appropriations Committee.
HB 446	Stefanski, John(R)	(Constitutional Amendment) Prohibits Dept. of Transportation and Development from using Transportation Trust Fund monies for benefits for retired employees. <b>Bill History:</b> Died in House Appropriations Committee.
HB 447	Carpenter, Barbara(D)	Provides relative to employment practices related to wage history, wage disclosure, and retaliation. <b>Bill History:</b> Died in House Labor and Industrial Relations Committee.
HB 475	Hilferty, Stephanie(R)	Provides relative to family and parental leave for state employees. <b>Bill History:</b> Died in House and Governmental Affairs Committee.
HB 487	Stefanski, John(R)	Prohibits the Dept. of Transportation and Development from

using Transportation Trust Fund monies for certain expenses.

**Bill History:** Died in House Appropriations Committee.

HB 493      Stefanski, John(R)      Prohibits the Dept. of Transportation and Development from using Transportation Trust Fund monies for benefits for retired employees.

**Bill History:** Died in House Appropriations Committee.

HB 579      Davis, Paula(R)  
Johns, Ronnie(R)      Provides for the defense and indemnification of public officials and employees.

**Bill History:** Died in House Appropriations Committee.

HB 631      Duplessis, Royce (F)(D)      Provides relative to enforcement of local ordinances.

**Bill History:** Died in House Municipal and Parochial Affairs Committee.

SB 77      Bouie, Joseph (F)(D)      Requires any contractor who bids on or enters into a contract with a public entity to comply with the Louisiana Equal Pay for Women Act.

**Bill History:** Died in Senate Finance Committee.

SB 89      Peacock, Barrow(R)      Phases in the dedication of the temporary state sales tax levy to the Transportation Trust Fund.

**Bill History:** Died in Senate Finance Committee.

SB 285      McMath, Patrick (F)(R)      Provides relative to the dedication and use of certain monies to be deposited into the Transportation Trust Fund.

**Bill History:** Died in Senate Finance Committee.

SB 323      Morris, Jay (F)(R)      Dedicates monies in the Deepwater Horizon Economic Damages Collection Fund for certain infrastructure projects.

**Bill History:** Died in Senate Finance Committee.

SB 417      Talbot, Kirk (F)(R)      Repeals reporting requirements related to commercial motor vehicle policies.

**Bill History:** Died in Senate Insurance Committee.

SB 418      Talbot, Kirk (F)(R)  
Garofalo, Raymond(R)      Enacts the Omnibus Premium Reduction Act of 2020.

**Bill History:** Vetoed. See message: [SB 418 Veto message](#)