

Louisiana Engineering Society Legislative Update

May 2, 2018

By: Miles B. Williams

SB 133 - This is the bill that LES had Sen. Hewitt file for us to get LAPELS and the Architect's Board access to the State Fire Marshal Office's information. It was revised by the SFMO attorney and this was accepted as an amendment by LES and the Senator.

It was heard by the Senate Committee on Senate and Government Affairs on 3/21. At this Committee meeting the Committee Chair, Sen. Karen Carter Peterson, asked several questions that made it appear that she might be opposed to the bill. Ryan Haynie, representing LES, asked that the bill be deferred for later action as opposed to being voted on at that time.

Ryan then proposed a strategy that we get a companion bill filed in the House and that we also do an outreach to Senator Peterson to see if we could address her concerns.

Ryan got State Representative Cedric Glover to carry the bill. It is filed as HB 865 and is identical to the amended SB 133. We will use this vehicle if it appears that the Senate Committee will not report SB 133 favorably.

On Thursday 4/5, Ryan and Randy Haynie and I met with Sen. Peterson. She was very receptive to what we had to say. Ryan asked if we should push the bill through the House side (HB 865) or have it come back to her committee. She indicated that she would receive the bill favorably at her Committee. She said that she would put it back on the committee agenda.

On Wednesday 4/11 the bill was reheard by the committee and it was sent forward favorably with a unanimous vote. It then was passed by the full Senate on 4/16 by a vote of 37-0.

On Wednesday 4/25 it was heard by the House Committee on House and Governmental Affairs. It was sent forward favorably by the committee with a unanimous vote and is awaiting action by the full House.

The Haynies believe that we should have no problem getting the bill through this committee and the House as a whole. We anticipate the bill passing and being signed by the Governor.

SB 260 - This bill (filed by Sen. Milkovich from Shreveport) would allow a person who has a disciplinary action brought against him/her by a state professional or occupational licensing board or commission (including LAPELS) to elect to have the matter moved to the state Division of Administrative Law for the disciplinary adjudication to be conducted before an administrative law judge. Essentially, boards would lose the power to take disciplinary action themselves against respondents who elect instead to proceed before a state-appointed administrative law judge

I meet with the LAPELS Board on 4/9 and they expressed to me that they believe that their adjudication process is fair and properly administered by the Board. They do not see any reason why "a person that has disciplinary action brought against him" needs to have their case moved out of the standard adjudication process of LAPELS to an Administrative Law Judge.

The LES executive board voted to approve a position that that the LAPELS Board should be excluded from this law.

I have asked the Haynies to look into LES offering an amendment to the bill, very similar to the one by Sen. Martiny for the lawyers that was adopted on the Senate floor, which would exclude the Louisiana Professional Engineering and Surveying Board from this law.

The bill has been passed out of the Senate and goes in front of the House Committee on House and Governmental Affairs on Wednesday 5/2. This will be the appropriate venue to offer the amendment. 5/2/18. The bill was not heard in committee and may not come up again this session.

[SB 498](#) - This bill (Sen. Cortez) reorganizes the management of LA DOTD including establishing the LOUISIANA BOARD OF TRANSPORTATION.

This bill was defeated in committee several weeks ago and appears to be dead for this session. LES took no official position on this bill.

[HB 748](#) - This bill (Rep. Emerson) is a substitute for her HB 562 (see summary below). This bill creates an Office of Supervision of Occupational Boards (within the Governor's office) which will conduct sunrise and sunset reviews relative to occupational regulations of state licensing boards. The new bill has been reported favorably as substituted by the House Commerce Committee. It will next be considered by the full House.

It's not clear if this bill will have much impact on LAPELS however it may. LES has not taken an official position on this bill.

The bill has been passed out of the House and is going to the Senate Commerce Committee soon. It appears that the bill will pass.

[SB 494](#) - This bill (Sen. Thompson) is the same as HB 748.

LES just became aware of this bill and has not taken an official position on it. It is on hold pending resolution of HB 748 (see above)

[HB 372](#) by Rep. Connick titled OCCUPATIONAL BOARD COMPLIANCE ACT

This bill is similar to HB 748 and attempts to oversee Occupational Licensing Boards and their licensing requirements by establishing the "Occupational Licensing Review Commission". The bill is up for debate in the House on 4/10.

It's not clear if this bill will have much impact on LAPELS however it may. LES has not taken an official position on this bill.

The bill has been passed out of the House and is going to the Senate Commerce Committee soon. It appears that the bill will pass.