

House Committee on House and Governmental Affairs

Minutes of Meeting
2013 Regular Session
May 1, 2013

I. CALL TO ORDER

Representative Timothy G. "Tim" Burns, Chairman of the Committee on House and Governmental Affairs, called the meeting to order at 9:33 a.m. in Room 2, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Taylor F. Barras
Representative John A. Berthelot
Representative Jared C. Brossett
Representative Michael E. Danahay, Vice Chair
Representative Randal L. Gaines
Representative Girod Jackson III
Representative Gregory A. Miller
Representative Stephen E. Pugh
Representative John M. Schroder, Sr.
Representative Timothy G. "Tim" Burns, Chairman

MEMBERS ABSENT:

STAFF MEMBERS PRESENT:

Patricia Lowrey-Dufour, Legislative Analyst
Mark Mahaffey, Attorney
Shawn O'Brien, Secretary

ADDITIONAL ATTENDEES PRESENT:

Susan Broussard, Sergeant at Arms
Andrew Hoz, Clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 479 by Representative Barras

Representative Barras presented House Bill No. 479, which provides an exception to annual ethics training requirements for certain hospital employees and requires additional ethics training for heads of certain executive branch departments.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 479. Without objection, the motion passed by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

House Bill No. 264 by Representative Foil

Representative Foil filed House Bill No. 264, which excludes persons whose public service is limited to certain professional services from the provisions of the Code of Governmental Ethics.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 264. Without objection, the motion passed by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

House Bill No. 553 by Representative Franklin

Representative Franklin filed House Bill No. 553, which provides for election sections in the City Court of Lake Charles.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 553. Without objection, the motion passed by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

House Bill No. 649 by Representative Ivey

Representative Ivey filed House Bill No. 649, which provides relative to federal elections.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 649. Without objection, the motion passed by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

House Bill No. 250 by Representative Danahay

Representative Danahay presented House Bill No. 250, which exempts former public servants who served less than a certain amount of time during a year from mandatory ethics training requirements.

Representative Berthelot offered a motion to report House Bill No. 250 favorably. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Jackson, Miller, Pugh, and Burns voted yea.

Ms. Kathleen M. Allen, Ethics Administration Program, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, was present to provide information upon request.

Later in the meeting, Representative Danahay offered a motion to place House Bill No. 250 on the local & consent calendar. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Jackson, Miller, Pugh, and Burns voted yea.

House Bill No. 318 by Representative Alfred Williams

Representative Alfred Williams presented House Bill No. 318, which provides for the election sections for City Court of Baton Rouge and for the number of judges elected from such sections.

Representative Jackson offered a set of amendments to provide that the first vacancy in division "A", "C", or "E" that occurs before qualifying opens for the regularly scheduled city court elections shall be filled by election in election section one and that judgeship shall be assigned to such election section for elections purposes; however if there is no such special election, the division "E" shall be assigned to election section one. The amendment further specifies that "B" and "D" are assigned to election section one and the remaining two judgeships are assigned to election section two. Finally, the amendment removes the specific list of possible changes to precincts by the parish governing authority and provides instead that regardless of any change, the territorial limits of the election sections established in the legislation continue in effect.

Representative Jackson offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Jackson, Miller, Pugh, and Burns voted yea.

Mr. Ernest Stephens, Louisiana AFL-CIO, 429 Government Street, Baton Rouge, LA, 225-383-5741 filed a witness card indicating his support for the bill but did not testify.

Mr. Joel G. Porter, 1208 Julia Street, Baton Rouge, LA 70802, 225-978-1955 and Mr. Ronald Johnson, 325 Pecan Meadow Drive, Baton Rouge, LA 70805, 225-356-3408, were present to provide information on the bill but did not speak.

Representative Berthelot offered a motion to report House Bill No. 318 with amendments. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Jackson, Miller, Pugh, and Burns voted yea.

House Bill No. 191 by Representative Stuart Bishop

Representative Stuart Bishop presented House Bill No. 191, which requires the secretary of state to take action necessary to allow certain classes of voters to vote absentee.

Mr. Emile Cordaro, American Electric Power, 548 Travis Street, Shreveport, LA, 318-673-3453; Ms. Carmen Weisner, Executive Director–NASW-LA, 700 North 10th Street, Suite 200, Baton Rouge, LA 70802, 800-899-1984; and Ms. Ginger Adam, CLECO, 8250 N. Harts Mill Lane, Baton Rouge, LA 70808, 225-767-5151, submitted witness cards indicating their support for the bill but did not speak.

Representative Jackson offered a motion to report House Bill No. 191 favorably. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Jackson, Miller, Pugh, and Burns voted yea.

House Bill No. 88 by Representative Champagne

Representative Champagne presented House Bill No. 88, a constitutional Amendment providing term limits for certain statewide elected officials.

Representative Burns offered a set of technical amendments explained by staff and offered a motion to adopt the same. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Jackson, Miller, Pugh, and Burns voted yea.

The Honorable Jay Dardenne, Lt. Governor, 1051 North Third St., Baton Rouge, LA 225-342-7009, submitted a witness card indicating support for the bill.

Mr. Michael Ranatza, Executive Director, Louisiana Sheriff's Association, 1175 Nicholson Drive, Baton Rouge, LA, 225-343-8402, stated that the association voted to oppose the bill.

The Honorable Buddy Caldwell, Attorney General, 1805 North Third Street, Baton Rouge, LA 70802, 225-326-6000, spoke in opposition to the legislation.

Mr. Trey Phillips and Mr. Kurt Wall, Attorney General's Office, 1805 North Third Street, Baton Rouge, LA 225-326-6705; Ms. Julie Cherry, Louisiana AFL-CIO, 429 Government Street, Baton Rouge, LA, 70802, 225-383-5741; Mr. Barney Altazan, West Baton Rouge Parish Assessor, P. O. Box 76, Port Allen, LA 70767, 225-344-6777; and Ms. Debbie Hudnall, La. Clerks of Court Association, 11745 Bricksome Avenue, Suite B-1, Baton Rouge, LA, 225-293-1162, submitted witness cards indicating their opposition to the bill but did not testify.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 88, to which Representative Barras objected. The secretary called the roll, and the motion passed by a vote of 6 yeas and 2 nays. Representatives Berthelot, Danahay, Jackson, Miller, Pugh, and Burns voted yea. Representatives Barras and Gaines voted nay.

House Bill No. 490 by Representative Champagne

Representative Champagne presented House Bill No. 490, which provides relative to reports concerning compensation of certain local public officers and employees being posted on the Internet.

Representative Danahay offered a set of amendments to provide that positions and salaries without employees' names be posted on the Internet. Representative Danahay offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Jackson, Miller, Pugh, and Burns voted yea.

Ms. Debbie Hudnall, La. Clerks of Court Association, 11745 Bricksome Avenue, Suite B-1, Baton Rouge, LA, 225-293-1162 and Mr. Michael Ranatza, Executive Director, Louisiana Sheriff's Association, 1175 Nicholson Drive, Baton Rouge, LA, 225-343-8402 testified in opposition to the bill.

Mr. Barney Altazan, Louisiana Assessor's Association, P. O. Box 14699, Baton Rouge, LA, 70898, 225-928-8886 submitted a card in opposition to the bill but did not speak.

Mr. Ty Bromell, Police Jury Association, 707 N. 7th Street, Baton Rouge, LA 70808, 225-343-2835, submitted a witness card for information but did not speak.

Representative Miller offered a motion to involuntarily defer action on House Bill No. 490. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 665 by Representative Barras

Representative Barras presented House Bill No. 665, which provides relative to absentee by mail and early voting.

Ms. Angie Rogers, Commissioner of Elections, P. O. Box 94125, Baton Rouge, LA 70804, 225-922-0900, provided information on the bill.

Ms. Merietta Norton, Secretary of State's Office, P. O. Box 94125, Baton Rouge, LA 70804, 225-922-0900, and Mr. Brian Champagne, Registrar of Voters for St. Charles Parish, P. O. Box 315, Hahnville, LA, 985-783-5120, were also present for information but did not speak.

Representative Barras offered a set of technical amendments relative to early voting procedures as explained by staff and offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Gaines, Jackson, Miller, Pugh, and Burns voted yea.

Representative Pugh offered a motion to report House Bill No. 665 with amendments. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Gaines, Jackson, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 538 by Representative Schroder

Representative Schroder presented House Bill No. 538, which provides relative to security and the allocation and use of space within the state capitol complex.

At the author's request, Representative Burns offered a motion to voluntarily defer action on House Bill No. 538. Without objection, the motion passed by a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Gaines, Jackson, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 387 by Representative Schroder

Representative Schroder presented House Bill No. 387, which protects public employees from reprisal for providing information to a legislator or legislative committee upon request.

Mr. Tim Barfield, executive counsel, Louisiana Department of Revenue (no address provided), said, in opposition to the bill, that state employees already have whistleblower protections and unintended consequences could develop if such employees should not step out of the scope of their authority to provide information.

Mr. Thomas Enright, executive counsel, governor's office, State Capitol, 4th Floor, Baton Rouge, LA, 225-342-8212 spoke in opposition to the bill, saying that it would inoculate state employees from reprisal for providing certain information.

Ms. Julie Cherry, Louisiana AFL-CIO, 429 Government Street, Baton Rouge, LA, 70802, 225-383-5741, and Ms. Carmen Weisner, Executive Director-NASW-LA, 700 North 10th Street, Suite 200, Baton Rouge, LA 70802, 800-899-1984, submitted witness cards in support of House Bill No. 387.

Ms. Kathleen M. Allen, Ethics Administration Program, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, informed the committee that the Ethics Board does not oppose the intent of the bill but explained her concerns relative to the board's level of involvement.

Representative Schroder offered a motion to voluntarily defer action and to reschedule the bill for hearing at the next meeting. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Jackson, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 485 by Representative Whitney

Representative Whitney filed House Bill No. 485, which provides for the qualifying period for congressional elections. There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 485. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Jackson, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 85 by Representative Badon

Representative Badon presented House Bill No. 85, which prohibits discrimination in state employment on the basis of sexual orientation, gender identity, or gender expression. He said that 24 other states have such protections in place preventing the unfair practice of discriminatory hiring in public employment.

Ms. Mary Griggs, Forum for Equality, 4117 Loyola Avenue, New Orleans, LA 70115, spoke in favor of the bill and policies that prohibit unfair employment practices against of the lesbian, gay, bisexual and transgender (LGBT) community.

Mr. Bruce Parker, Louisiana Progress (no address given), Baton Rouge, LA, 504-450-7496, said, in support of the bill, that it would contribute to economic development.

Mr. Bill Naquin, Louisiana Forum for Equality, 636 Dolhonde Street, Gretna, LA 70053, 504-228-4874, testified in support of the bill, noting that the major cities of the state offer some level of protection for LGBT employees.

Mr. Ted Baldwin, 3030 Congress Ave., #55, Baton Rouge, LA, 225-413-6051, spoke in support of House Bill No. 85, saying that much of the opposition to the LGBT community is fear-based.

Mr. Albert McMeen, Forum For Equality, 1035 St. Ann Street, New Orleans, LA, 504-523-5131, spoke in support of the bill, describing the financial hardship that being unfairly fired can cause families.

Mr. Morris Welch, Metropolitan Community Church, 5252 Westdale Drive, Baton Rouge, LA 70808, 225-218-1839, speaking in support of the bill, reported on the high percentage of the public who either assume that employment protections already exist or who support such protections for the LGBT community.

Ms. Elizabeth Jenkins, Louisiana Trans Advocates, 2117 Veterans, Metairie, LA, 504-444-2373, said in support of the bill that addressing discrimination against particularly the transgender community would improve outcomes relative to health, economic, homelessness, incarceration, substance abuse, and other social issues.

Ms. Marjorie Esman, ACLU of Louisiana, P. O. Box 56157, New Orleans, LA 70156, 504-522-0628; Mr. Matthew Patterson, Equality Louisiana (no address provided), 504-450-7496; Ms. Adria Porch, Louisiana Progress, 650 North 6th Street, Baton Rouge, LA, Ms. Donna Jean Coy, Louisiana Trans Advocates, 2117 Veterans Blvd., Metairie, LA 70002, Ms. Frances Kelley, Get Equal LA, 835 Linden Street, Shreveport, LA; Ms. Dawn Collins, LA Movement, 3351 Fort Myers, Baton Rouge, LA; Mr. Kenny Tucker, Forum for Equality, 6530 Chartres Street, Arabi, LA 70032; Ms. Julie Cherry, Louisiana AFL-CIO, 429 Government Street, Baton Rouge, LA, 70802, 225-383-5741; Mr. Micah Caswell, Equality Louisiana, 650 North 6th Street, Baton Rouge, LA; Mr. Clay Abington, Forum for Equality, 584 Front Street, Natchitoches, LA 71457; Rev. Lindy Broderick, Shreveport Chamber of Commerce, 400 Edwards St., Shreveport, LA 71101, 318-677-2500; Dylan Waguespack, Louisiana Progress, 1855 Brightside Drive, Baton Rouge, LA; Tucker Barry Equality Louisiana, 615 Lakeland Drive, Baton Rouge, LA, Kerry Everitt, AARP, 301 Main Street, Suite 1012, Baton Rouge, LA 70801, 225-376-1151, Mr. John Denison, Forum for Equality, 4005 Deborah Dr., Monroe, LA 318-398-3169; and Ms. Sarah Jane Brady, Forum for Equality, 336 Lafayette Street, Suite 200, (address incomplete), filed witness cards with the committee indicating support for House Bill No. 85 but did not testify.

Mr. Dale Hoffpauir, LA Family Forum, 655 St. Ferdinand St., Baton Rouge, LA, 225-322-9778, stated, in opposition to the legislation, that existing laws provide adequate protections to state employees and surmised that the proponents seek to advance an agenda of sexual politics based on lifestyle.

Mr. David Goza, Jefferson Baptist Church, 9135 Jefferson Highway, Baton Rouge, LA, 225-772-9674, speaking in opposition to the bill, said that the Bible states that homosexuality is wrong, in that it is an unhealthy and unnatural personal choice. He said the rights of the majority would be suppressed if special rights are granted to homosexuals.

Mr. Tim Grant and Ms. Kathleen Benfield, Louisiana Family Forum, 655 St. Ferdinand Street, Baton Rouge, LA 70802, 225-344-8533, submitted witness cards stating their opposition to House Bill No. 85 but did not testify.

Representative Brossett offered a motion to report House Bill No. 85 favorably, to which Representative Burns objected. The secretary called the roll, and by a vote of 3 yeas and 6 nays, the motion failed to pass. Representatives Brossett, Gaines, and Jackson voted yea. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted nay.

No further action was taken on the bill.

IV. OTHER BUSINESS

V. ANNOUNCEMENTS

VI. ADJOURNMENT

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,



Timothy G. "Tim" Burns, Chairman
House and Governmental Affairs

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adopted 5/28/14