

House Committee on House and Governmental Affairs

Minutes of Meeting
2014 Regular Session
April 2, 2014

I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:30 a.m. in Room 2, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Patricia Lowrey-Dufour, Committee Legislative Analyst
Mark Mahaffey, Committee Attorney
Shawn O'Brien, Committee Secretary
Joyce Trotter, Sergeant at Arms
Andrew Hoz, Committee Clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 374 by Representative Geymann

House Bill No. 374 is a constitutional amendment providing for the election of all members of the State Board of Elementary and Secondary Education.

There was no discussion on the bill.

At the request of the author, Representative Burns offered a motion to voluntarily defer action on House Bill No. 374. Without objection, action on House Bill No. 374 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 373 by Representative Carter

Representative Carter presented House Bill No. 373, a constitutional amendment which provides relative to legislative sessions and bill introduction limits. He provided statistics on bill introductions and on passage or failure thereof.

Representative Richard appeared with the author in presenting the bill.

Mr. Dale Hoffpauir, Louisiana Family Forum, 655 St. Ferdinand, Baton Rouge, LA 70802, 225-344-8533, and Ms. Dawn Starns, NFIB (no address provided), 387-4626, submitted cards in support of the bill but did not testify.

Representative Schroder requested additional information and offered a motion to voluntarily defer action on House Bill No. 373. Without objection, action on House Bill No. 373 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 112 by Representative Richard

House Bill No. 112, a constitutional amendment, provides relative to the length of regular sessions in odd-numbered years and the consideration of certain measures in such sessions.

There was no discussion on the bill.

Representative Schroder offered a motion to voluntarily defer action on House Bill No. 112. Without objection, action on House Bill No. 112 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 391 by Representative Richard

House Bill No. 391, which relative to the revision of local government laws pursuant to HCR No. 218 of the 2009 Regular Session, transfers the Law Enforcement Executive Management Institute from the governor's office to the Department of Public Safety and Corrections and provides for redesignation of provisions from Title 33 to Title 40.

There was no discussion on the bill.

At the request of the author, Representative Burns offered a motion to voluntarily defer action on House Bill No. 391. Without objection, action on House Bill No. 391 was voluntarily deferred by

a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 500 by Representative Berthelot

Representative Berthelot presented House Bill No. 500, which he said he authored on behalf of the Board of Ethics, allows a public servant to accept gifts valued at \$25 or less, up to an aggregate value of \$75 from any one person in a calendar year.

Representative Berthelot offered a set of amendments to restrict the application of the exception to public servants employed by a prekindergarten, kindergarten, elementary, or secondary school from or on behalf of a student or former student.

Representative Berthelot offered a motion to adopt the proposed amendments. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Mr. Robert Travis Scott, PAR, 4664 Jamestown Ave., Baton Rouge, LA 70808, 225-926-8414, informed the committee that PAR had opposed the bill in its original, broader version.

Representative Berthelot offered a motion to report House Bill No. 500 with amendments. Without objection, House Bill No. 500 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 485 by Representative Smith

Representative Smith presented House Bill No. 485, which prohibits certain questions regarding criminal history during the employment process for certain positions in the unclassified civil service. She said the move is known as "Ban the Box" and is meant to reduce the rates of recidivism.

Ms. Tiffany Simpson, Louisiana Public Defender Board, 500 Laurel Street, Suite 300, Baton Rouge, LA 70801, 225-219-9305, informed the committee that increased opportunities for employment decrease the rate of recidivism.

Ms. Veronica Freeman and Rev. Dr. Lue Russell, PICO-LA, 4531 North Blvd., Baton Rouge, LA, and Mr. James Windom, Capital Area ReEntry Coalition, 4829 Winbourne Ave., Baton Rouge, LA, 225-771-8715, testified in support of House Bill No. 485.

Ms. Ayn Stehr, National Association of Social Workers, 189-6 Spyglass Hill Drive, Baton Rouge, LA, 225-241-0947; Ms. Julie Cherry, Louisiana AFL-CIO, 429 Government St., Baton Rouge, LA 70802, 383-5741; Rob Tasman, Louisiana Conference of Catholic Bishops, 2431 S. Acadian Thruway, Suite 250, Baton Rouge, LA 70808, 225-344-7120; Mr. Nicholas BeJeaux, Louisiana Progress, 650 North 6th Street, Baton Rouge, LA; Dylan Waguespack, Louisiana Progress, 650 North 6th Street, Baton Rouge, LA, 504-950-7496; Checo Yancy, Louisiana Cure and ReEntry, 4829 Winbourne Avenue, Baton Rouge, LA, 225-270-5245; and Ms. Jane Burgin, ACLU and Southern

Poverty Law Center, P. O. Box 1436, Abita, LA 70420, 504-782-5000 submitted witness cards indicating their support of the bill but did not testify.

Ms. Dawn Starns, National Federation of Independent Businesses (no address provided), 225-287-4626, testified in opposition to the bill.

Mr. Charles Scott, LDAA and Caddo Parish District Attorney, 501 Texas St., Shreveport, LA 71101, 318-226-6956; Mr. Hugo Holland, Louisiana District Attorneys Association (no address provided); Mr. Kevin Hayes, Louisiana Association of Chiefs of Police, 450 Laurel St., Suite 1900, Baton Rouge, LA 70801-225-336-5200; and Mr. Charles J. Ballay, Plaquemines Parish District Attorney, 301-A Main St., Belle Chasse, LA 70037, 504-297-5146 filed witness cards in opposition to the bill but did not testify.

Representative Gaines offered a motion to report House Bill No. 485 favorably, to which Representative Miller objected. A roll call vote was taken, and by a vote of 2 yeas and 7 nays, the motion failed to pass. Representatives Brossett and Gaines voted yea. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted nay.

There was no final action taken on the bill.

House Bill No. 105 by Representative James

Representative James presented House Bill No. 105, which increases the amount of supplemental compensation or benefits allowed to be provided to an attorney who is a public employee who is participating in a bona fide Loan Repayment Assistance Program.

Ms. Tiffany Simpson, Louisiana Public Defender Board, 500 Laurel Street, Suite 300, Baton Rouge, LA 70801, 225-219-9305, submitted a card for information but did not speak.

Representative Gaines offered a motion to report House Bill No. 105 favorably. Without objection, House Bill No. 105 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 252 by Representative Burns

Representative Burns presented House Bill No. 252, which, relative to the ethics code, allows certain persons affiliated with the St. Tammany Economic Development Foundation to serve on the board of commissioners of the St. Tammany Parish Development District and to participate and vote on certain matters involving the district and the foundation.

Mr. Joseph C. Chautin, III, St. Tammany Parish Development District, 1080, W. Causeway Approach, Mandeville, LA 70471, 985-629-0777, provided information on the bill.

Representative Burns offered a motion to report House Bill No. 252 favorably. Without objection, House Bill No. 252 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 786 by Representative Nancy Landry

Representative Nancy Landry presented House Bill No. 786, which, relative to the Lafayette Parish School Board, provides that its members would be elected at the gubernatorial elections instead of the congressional elections.

Mr. Nic Walts and Mr. Nick Cahanin, Lafayette Chamber of Commerce/The Picard Group, 1200 Camellia Blvd., Suite 101, Lafayette, LA, 337-989-0071, submitted cards in support of the bill.

Ms. Patricia Ann Sonnier, Lafayette Parish Retired Teachers, 815 West Butcher Switch, Lafayette, LA, 70507, spoke in opposition to the bill.

Mr. Dannie P. Garrett, III, 263 Third Street, Suite 707, Baton Rouge, LA 70801, 225-382-0333, and Mr. Shane Riddle, Louisiana Association of Educators 8322 One Calais Ave., Baton Rouge, LA, 70809, 225-343-9243 submitted witness cards indicating their opposition to the bill.

Representative Berthelot offered a motion to report House Bill No. 786 favorably. Without objection, House Bill No. 786 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 296 by Representative Connick

Representative Danahay presented House Bill No. 296 on behalf of the author. The bill provides for an automatic recount in elections when the number of absentee by mail and early voting ballots could make a difference in the outcome of the election.

Representative Danahay offered a set of amendments that would limit applicability to proposition elections.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Mr. Kyle Ardoin, First Assistant Secretary of State, 8585 Archives Ave., Baton Rouge, LA 70909, 225-922-2880, provided additional information on the bill.

Representative Danahay offered a motion to report House Bill No. 296 with amendments. Without objection, House Bill No. 296 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 1030 by Representative Thompson

Representative Thompson presented House Bill No. 1030, which repeals additional fees imposed on candidates by political party committees. He requested the adoption of a substitute bill.

Mr. John Couvillon, JMC Enterprises of LA, 1025 Chippenham Dr., Baton Rouge, LA, 225-769-9697, explained his support of the bill.

Mr. Kyle Ardoin, First Assistant Secretary of State, 8585 Archives Ave., Baton Rouge, LA, 225-922-2880, and Mr. Daryl Purpera, Legislative Auditor (no address provided), provided information to the committee on the bill relative to the proposed effective date.

Mr. Michael Bayham, Republican State Committee (address illegible), Chalmette, LA 504-258-4467; Ms. Beth Mizell, Washington RPEC, 19208 Sam Varnado Road, Franklinton, LA 70438, 985-515-0927; Mr. Ross Little, Jr., RNC, 100 Harwell St., Lafayette, LA 337-981-1749; and Mr. Michael Lowrip, 1835 Glen Cove Drive, Benton, LA 71006, spoke in opposition to the bill

Ms. Anne Price, Bossier Parish Republican Executive Committee, 104 Cambridge Circle, Bossier City, LA, 318-741-1572; Ms. Karen Connolly, LAGOP, 6880 Christopher, Greenwell Springs, LA 70739; Ms. Sarah Dake, Ms. Kim Dake, and Mr. Derk Dake, 1525 N. Bertrand Dr., Lafayette, LA 332-534-3411; Mr. Mike Collier, Bossier RPEC, 521 Merritt, Benton, LA 71006; Mr. Shane Riddle, Louisiana Democratic Party, Government Street. Baton Rouge, LA; Harold Coates, Caddo Parish RPEC, 6117 Lovers Lane, Shreveport, LA 71105; and Mr. Creighton Light, Caddo Parish RPEC, 7718 Chesapeake St., Shreveport, LA 71105, submitted witness cards in opposition to the bill but did not testify.

Representative Danahay offered a motion to change the effective date in the proposed substitute bill. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

Representative Gaines offered a motion to voluntarily defer action on House Bill No. 1030. Without objection, action on House Bill No. 1030 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 858 by Representative Barrow

House Bill No. 858 provides that an action by a state agency which results in the termination of one hundred or more employees or a change in the parish in which one hundred or more employees report to work shall not be effective or enforceable unless it meets certain requirements. There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 858. Without objection, action on House Bill No. 858 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

IV. OTHER BUSINESS

There was no further business to come before the committee.

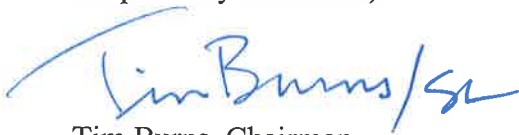
V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:03 PM.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tim Burns" followed by a stylized flourish that appears to be "/sc".

Tim Burns, Chairman
House and Governmental Affairs

/so

Date Approved : 3-4-15