

House Committee on House and Governmental Affairs

Minutes of Meeting
2014 Regular Session
April 9, 2014

I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:40 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
Danielle Broussard, Committee Clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 626 by Representative Abramson

Representative Abramson presented House Bill No. 626, which requires certain quasi public and nongovernmental entities to submit information to the legislative auditor and be approved by the Joint Legislative Committee on the Budget prior to receiving state monies or assistance.

Representative Abramson requested a substitute bill that would establish certain requirements regarding state contracts.

Ms. Kristy Nichols, commissioner of administration (no address provided), provided information on the bill.

Representative Danahay offered a motion to report House Bill No. 626 by substitute. Without objection, House Bill No. 626 was reported by substitute by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 858 by Representative Barrow

Representative Barrow presented House Bill No. 858, which 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.

An amendment had been adopted at the committee's April 3, 2014, meeting to remove the provision requiring the action to be approved by the legislature and to require instead that notice of the action is given to the legislature.

Ms. Natalie LaBorde, governor's office (no address provided), submitted a witness card in opposition to the bill. She did not testify.

Representative Berthelot offered a motion to report House Bill No. 858 with amendments. Without objection, House Bill No. 858 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. 264 by Representative Miller

Representative Miller presented House Bill No. 264, which clarifies a provision requiring disclosure of interest in immovable property.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, was available to provide information at the committee's request.

Representative Miller offered a motion to report House Bill No. 264 favorably. Without objection, House Bill No. 264 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 Concurrent Resolution No. 28 by Representative Richard

Representative Richard presented House Concurrent Resolution No. 28, which applies to the U.S. Congress to call a convention for the purpose of proposing amendments to the U.S. Constitution to address concerns raised by the 2010 decision of the U.S. Supreme Court in Citizens United v. Federal Election Commission.

At the request of the author, Representative Burns offered a motion to voluntarily defer action on House Concurrent Resolution No. 28. Without objection, action on House Concurrent Resolution No. 28 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 74 by Representative Richard

Representative Richard presented House Bill No. 74, which eliminates nomination by legislators of students for free tuition to Tulane University and granting of such free tuition.

Mr. James MacLaren, Dean, Tulane University, 6823 St. Charles Ave., New Orleans, LA 504-865-5720, spoke in opposition to the bill

Mr. Jean Saxon, 18425 S. Mission Hills Ave., Baton Rouge, LA 70810, 225-936-4079; Ms. Arwin Bascle, 1720 Nicholson Drive, #26, Baton Rouge, LA 70802, 504-296-4349; Ms. Paige Davis, 2534 Palmer Ave., Apt. A, New Orleans, LA 70118; Mr. Stephen Wright, 1625 2nd St., New Orleans, LA; Ms. Sharon Courtney, 200 Broadway, New Orleans, LA 70118; and Ms. Rhonda Reap-Curiel, CENCOR Consulting Group, P. O. Box 12096, Alexandria, LA 71315, 318-308-9921, submitted witness cards in opposition to the bill but did not testify.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 74. Without objection, action on House Bill No. 74 was involuntarily deferred by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 299 by Representative Greene

Representative Greene presented House Bill No. 299, which relative to legislative scholarships, requires certain information on application forms, provides for certain forms and material to be public record, and provides for the custodian of such records.

Representative Burns offered a technical amendment and offered a motion to adopt the same. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Miller, Pugh, and Burns voted yea.

Dean James MacLaren, Tulane University, 6823 St. Charles Ave., New Orleans, LA 504-865-5720, spoke in opposition to the bill.

Mr. Jean Saxon, 18425 S. Mission Hills Ave., Baton Rouge, LA 70810, 225-936-4079; Ms. Arwin Bascle, 1720 Nicholson Drive, #26, Baton Rouge, LA 70802, 504-296-4349; Ms. Paige Davis, 2534 Palmer Ave., Apt. A, New Orleans, LA 70118; Mr. Stephen Wright, 1625 2nd St., New Orleans, LA; Ms. Sharon Courtney, 200 Broadway, New Orleans, LA 70118; and Ms. Rhonda Reap-Curiel, CENCOR Consulting Group, P. O. Box 12096, Alexandria, LA 71315, 318-308-9921, submitted witness cards in opposition to the bill but did not testify.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 299. Without objection, action on House Bill No. 299 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 991 by Representative Hunter

House Bill No. 991, which provides relative to Tulane University scholarships granted to students pursuant to nominations by state legislators.

There was no discussion on the bill.

At the author's request, Representative Burns offered a motion to voluntarily defer action on House Bill No. 991. Without objection, action on House Bill No. 991 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

House Bill No. 307 by Representative Ritchie

Representative Ritchie presented House Bill No. 307, concerning Tulane University scholarships for students nominated by legislators, provides relative to requirements, procedures, limitations, and publication of information.

Representative Burns offered a set of technical amendments on behalf of the author and offered a motion to adopt the same. 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. Jean Saxon, 18425 S. Mission Hills Ave., Baton Rouge, LA 70810, 225-936-4079; Ms. Arwin Bascle, 1720 Nicholson Drive, #26, Baton Rouge, LA 70802, 504-296-4349; Ms. Paige Davis, 2534 Palmer Ave., Apt. A, New Orleans, LA 70118; and Mr. Stephen Wright, 1625 2nd St., New Orleans, LA, spoke in support of the measure.

Dean James MacLaren, Tulane University, 6823 St. Charles Ave., New Orleans, LA 504-865-5720; Ms. Sharon Courtney, 200 Broadway, New Orleans, LA 70118; Mr. Eldon Rogillio, Louisiana Restaurant Association, 2700 N. Arnoult Rd., Metairie, LA 70002, 504-454-2277; and Mr. Jess Davis (address illegible), Lake Charles, LA; and Ms. Rhonda Reap-Curiel, CENCOR Consulting Group, P. O. Box 12096, Alexandria, LA 71315, 318-308-9921, submitted witness cards indicating their support of the bill but did not testify.

Representative Schroder offered a motion to report House Bill No. 307 with amendments. Without objection, House Bill No. 307 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. 107 by Representative Ritchie

Representative Ritchie presented House Bill No. 107, which prohibits legislators from accepting campaign contributions from persons they nominate for Tulane scholarships or members of their families.

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. 107. Without objection, action on House Bill No. 107 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 213 by Representative Miller

Representative Miller presented House Bill No. 213, which requires that expenditures on Internet advertising and automated calling be included on the election day expenditure report and eliminates the election day expenditure report if no expenditure required to be reported was made.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, provided information to the committee on categories of election day expenditures.

Representative Miller offered a motion to report House Bill No. 213 favorably. Without objection, House Bill No. 213 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 486 by Representative Talbot

Representative Talbot presented House Bill No. 486, which requires political committees to provide certain notifications to candidates and principal and subsidiary campaign committees of candidates.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, was available to provide information at the committee's request.

Representative Schroder offered a motion to report House Bill No. 486 favorably. Without objection, House Bill No. 486 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 431 by Representative Burns

Representative Burns presented House Bill No. 431, which provides that if a political committee other than a candidate's principal or subsidiary committee makes a contribution to an elected official who determines to seek a different office after the contribution was made, that no penalty for failure to timely file shall be assessed as long as the contribution was disclosed on a report filed by the political committee prior to the election.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, provided information on the bill.

Mr. Jimmy Burland, Louisiana PAC Coalition (no address provided), 225-767-7163, spoke in support of the bill but suggested that having no concrete date of the beginning of an officeholder's campaign for another office is still confusing for some contributors who are required to file reports.

Representative Berthelot offered a motion to report House Bill No. 431 favorably. Without objection, House Bill No. 431 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

House Bill No. 694 by Representative Burns

Representative Burns presented House Bill No. 694, which provides relative to certain notifications regarding the filing of certain Tier 2 personal financial disclosure statements.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, informed the committee of the need for the bill.

Representative Burns offered a set of amendments to require the person to notify the ethics board by May 15th of the deadline for filing the person's tax return pursuant to the extension filed and to clarify that notification of each additional extension granted must be given within 30 days of the expiration of the prior extension.

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

Representative Miller offered a motion to report House Bill No. 694 with amendments. Without objection, House Bill No. 694 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. 695 by Representative Burns

Representative Burns presented House Bill No. 695, which authorizes the supervisory committee or its staff to solicit information from a person required to file campaign finance reports or the report preparer.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, provided information on the bill.

Representative Danahay offered a motion to report House Bill No. 695 favorably. Without objection, House Bill No. 695 was reported favorably 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. 873 by Representative Burns

Representative Burns presented House Bill No. 873, which provides relative to the confidential and privileged nature of certain records of the Board of Ethics.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, provided information on the bill.

Mr. Gray Sexton, 11898 N. Mission Hills Drive, Baton Rouge, LA, spoke in opposition to the bill.

Representative Berthelot offered a motion to involuntarily defer action on House Bill No. 873, to which Representative Burns objected, offering a substitute motion to report the bill favorably.

The secretary called the roll on the substitute motion, which passed by a vote of 5 yeas and 3 nays. House Bill No. 873 was reported favorably. Representatives Barras, Danahay, Miller, Pugh, and Burns voted yea. Representatives Berthelot, Brossett, and Gaines voted nay.

House Bill No. 405 by Representative Burns

Representative Burns presented House Bill No. 405, which provides relative to prescription of certain campaign finance violations.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, provided information on the bill.

Representative Burns offered a set of technical amendments to the bill.

Representative Burns 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, Brossett, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Representative Pugh offered a motion to report House Bill No. 405 with amendments. Without objection, House Bill No. 405 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Brossett, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

IV. OTHER BUSINESS

There was no other business to come before the committee.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:54 p.m.

Respectfully submitted,



Tim Burns, Chairman
House and Governmental Affairs

TB/so

Date Approved: : 3-4-15