

House Committee on House and Governmental Affairs

Minutes of Meeting
2014 Regular Session
April 23, 2014

I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:36 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 Randal L. Gaines
Representative Gregory A. Miller
Representative Stephen E. Pugh
Representative John M. Schroder, Sr.

MEMBERS ABSENT:

Representative Jared C. Brossett

STAFF MEMBERS PRESENT:

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

III. DISCUSSION OF LEGISLATION

House Bill No. 739 by Representative Nancy Landry

House Bill No. 739 provides relative to certain legislative groups and lobbyist expenditure reports.

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. 739. Without objection, action on House Bill No. 739 was voluntarily deferred by

a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 452 by Representative Talbot

House Bill No. 452 prohibits public servants from engaging in certain activities with public funds and assets.

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. 452. Without objection, action on House Bill No. 452 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 161 by Representative Thibaut

Representative Thibaut presented House Bill No. 161, which requires notification and reporting relative to certain communications made for the purpose of influencing the passage or defeat of legislation.

Representative Burns offered a set of technical amendments to the bill and made a motion to adopt the same. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Miller, Pugh, Schroder, and Burns voted yea.

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

Ms. Karen Champagne and Ms. Angela Alef, The People LCC, 1500 Prytania Street, New Orleans, LA 70115; Mr. Eldon Rogillio and Mr. Stan Harris, Louisiana Restaurant Association, 2700 N. Arnoult Road, Metairie, LA 70002, 504-454-2277; Ms. Kathey Gappelt, LPC, 42291 Gaudet Road, Gonzales, LA; Mr. Austin Stukins, LAGOP (no address provided); Mr. Ed Parker, AFSCME, 429 Government St., Baton Rouge, LA, 225-922-2800; Ms. Laura O'Halloran (address incomplete) Denham Springs, LA, 225-773-8206; and Ms. Brenda Bizette (no address provided), 225-931-9399, submitted witness cards in opposition to the bill but did not testify.

Mr. John Couvillon, JNC Enterprises of La., 1025 Chippenham Dr., Baton Rouge, LA, testified in opposition to the bill.

Ms. Julie Cherry, Louisiana AFL-CIO, 429 Government St., Baton Rouge, LA 70802, 225-383-5741, spoke in opposition to the bill.

Representative Miller offered a motion to involuntarily defer action on House Bill No. 161, to which Representative Berthelot objected. A roll call vote was taken and action on House Bill No. 161 was involuntarily deferred by a vote of 4 yeas and 3 nays. Representatives Miller, Pugh, Schroder, and Burns voted yea. Representatives Berthelot, Danahay, and Gaines voted nay.

House Bill No. 374 by Representative Geymann

Representative Geymann presented House Bill No. 374, a constitutional amendment which provides for the election of all members of the State Board of Elementary and Secondary Education.

Representative Burns offered a set of technical amendments 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, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

Representative Danahay offered a set of amendments to have two members elected at-large and one member appointed by the governor.

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

Mr. Chance Wilson, Wilson Global Initiative, 600 Wooddale Blvd., #201, Baton Rouge, LA, spoke in support of House Bill No. 374.

Ms. Sandra McDade, Eagle Forum, 3112 Pines Road, Shreveport, LA, 318-458-1410, testified in support of the bill.

Ms. Charlotte Iserbyt, 519 River Road, Dresden (address illegible); Ms. Jerrie Williams, Twice Exceptional, P. O. Box 503, Baker, LA 70704; Ms. Laura O'Halloran (address incomplete), Denham Springs, LA, 225-773-8206; Ms. Brenda Bizette (address incomplete), Baton Rouge, LA, 225-931-9399; Mr. Steve Monaghan, president, Louisiana Federation of Teachers, 9623 Brookline Ave., Baton Rouge, LA 70809, 225-923-1037; and Ms. Angela Alef and Ms. Karen Champagne, The People, 1500 Prytania, New Orleans, LA 70115, submitted witness cards in support of the bill.

Ms. Stephanie Desselle, CABL, P. O. Box 4308, Baton Rouge, LA 70821, spoke in opposition to the bill.

Mr. Danny Loar, Louisiana Conference of Catholic Bishops, 2431 S. Acadian Thruway, Baton Rouge, LA 70808, 225-344-7120; Ms. Kelli Bottger, Louisiana Federation for Children, 37397 Cypress Alley Ave., Gonzales, LA 70737; Ms. Natalie LaBorde, Governor's Office (no address provided); and Ms. Brigitte Nieland, LABI, 3113 Valley Creek Drive, Baton Rouge, LA, 225-928-5388, submitted witness cards stating opposition to the bill but did not testify.

Representative Danahay offered a motion to report House Bill No. 374 with amendments, to which Representative Miller objected. A roll call vote was taken, and by a vote of 2 yeas and 6 nays, the motion failed to pass. Representatives Danahay and Schroder voted yea. Representatives Barras, Berthelot, Gaines, Miller, Pugh, and Burns voted nay.

Representative Burns offered a motion to involuntarily defer action on House Bill No. 374. Without objection, action on House Bill No. 374 was involuntarily 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. 277 by Representative Geymann

Representative Geymann presented House Bill No. 277, which provides for additional ethical standards for members of the State Board of Elementary and Secondary Education (BESE), the state superintendent of education, and related persons.

Representative Burns offered a technical amendment to the bill and made a motion to adopt the same. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Barras, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

Ms. Kathleen M. Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, provided information on the bill relative to the variance between elected and appointed members and to post-employment provisions in the bill.

Mr. Steve Monaghan, president, Louisiana Federation of Teachers, 9623 Brookline Ave., Baton Rouge, LA 70809, 225-923-1037, and Ms. Karen Champagne and Ms. Angela Alef, The People LCC, 1500 Prytania Street, New Orleans, LA 70115, submitted witness cards in support of the bill.

Ms. Brigitte Nieland, LABI, 3113 Valley Creek Drive, Baton Rouge, LA, 225-928-5388; and Mr. Jason Wynne Hughes, Stand For Children, 4035 Washington Ave., New Orleans, LA 70125, 504-491-8785, submitted witness cards in opposition to the bill.

Representative Danahay offered a set of amendments to specify that the proposed prohibition on certain transaction under the supervision or jurisdiction of BESE or the Department of Education shall not be construed to prohibit employment of BESE members or immediate family members of BESE members by a nonpublic school.

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

Ms. Joan E. Hunt, Department of Education/BESE, Third Street, Baton Rouge, LA, 225-342-3572, informed the committee that BESE is opposed to the bill.

Representative Danahay offered a motion to report House Bill No. 277 with amendments. Without objection, House Bill No. 277 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Schroder, and Burns voted yea.

House Bill No. 1167 by Representative Arnold

Representative Arnold presented House Bill No. 1167, which provides with respect to testing for civil service entrance and promotion for certain city civil service employees.

Mr. Timothy McConnell, chief, New Orleans Fire Department, 1036 Soniat Street, New Orleans, LA 70115, 504-658-4700, provided information on the bill.

Mr. Bob Lawrence, state examiner, 8550 United Plaza Blvd., Baton Rouge, LA 70809, 225-925-4416 and Mr. Nick Felton, New Orleans Fire Fighters (address illegible), was available to provide information.

Mr. Rodney Braxton, City of New Orleans, 543 Spanish Town Road, Baton Rouge, LA, 225-387-0166, was present in support of the bill but did not testify.

Mr. Derrell Basco, Louisiana Firefighters, 731 Lakeland Drive, Baton Rouge, LA, 225-268-8572; Mr. Brian Blake, Baton Rouge Union of Police, 251 Florida St., Baton Rouge, LA, 225-389-4888; and Mr. Chad Major, Professional Firefighters (address illegible), Baton Rouge, LA 70807, submitted witness cards in opposition to the bill but did not testify.

Representative Burns offered a set of amendments to narrow application to the New Orleans Fire Department.

Representative Burns offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 5 yeas and 0 nays. Representatives Barras, Danahay, Pugh, Schroder, and Burns voted yea.

Representative Burns made a motion to report House Bill No. 1167 with amendments with the recommendation to recommit the bill to the Committee on Appropriations. Without objection, House Bill No. 1167 was reported with amendments, with the recommittal recommendation, by a vote of 5 yeas and 0 nays. Representatives Barras, Danahay, Pugh, Schroder, and Burns voted yea.

House Bill No. 459 by Representative Arnold

Representative Arnold presented House Bill No. 459, which allows an immediate family member of a legislator to lobby the legislature provided the family member was a registered executive branch lobbyist for more than one year prior to January 9, 2012.

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

Mr. Eldon Rogillio and Mr. Stan Harris, Louisiana Restaurant Association, 2700 N. Arnoult Road, Metairie, LA 70002, 504-454-2277, submitted witness cards in support of the bill but did not speak.

Mr. Wendell Lindsay, Louisiana Common Cause, 5874 Chandler Drive, Baton Rouge, LA, submitted a card in opposition to the bill.

Representative Danahay offered a motion to report House Bill No. 459 favorably. Without objection, House Bill No. 459 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Barras, Danahay, Pugh, Schroder, and Burns voted yea.

House Concurrent Resolution No. 51 by Representative Hodges

Representative Hodges presented House Concurrent Resolution No. 51, which creates a task force to study and make recommendations on actions necessary to complete the construction of the Comite River Diversion Project.

Mr. Jerome Zeringue, CPRA (no address provided), 225-342-7669, submitted a witness card in support of the measure.

Mr. Lawrence Callender, Box 3, French Settlement, LA 70735 and Mr. Doug Taylor, Department of Transportation and Development, 1201 Capital Access Road, 225-379-3006, provided information on the resolution.

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

Representative Berthelot made a motion to report House Concurrent Resolution No. 51 with amendments. Without objection, the measure was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 870 by Representative Richard

Representative Richard presented House Bill No. 870, which prohibits certain transactions involving charter schools.

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. 870. Without objection, action on House Bill No. 870 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 143 by Representative Richard

Representative Richard presented House Bill No. 143, which prohibits a former legislator from being appointed to or employed in any position in state government for a period of two years following the termination of his service as a legislator.

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

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 143. Without objection, action on House Bill No. 143 was involuntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 1062 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 1062, which provides for a task force to make recommendations to the Department of Children and Family Services (DCFS) concerning electronic issuance of Supplemental Nutrition Assistance Program (SNAP) benefits.

Representative Burns offered a set of technical amendments relative to appointments to the task force.

Representative Burns offered a motion to adopt the proposed technical amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

Mr. Sammy Guillory, DCFS, 627 North 4th St., Baton Rouge, LA 70802, 225-342-3961, was present to provide information on the bill.

Ms. Jessica Elliott, Louisiana Retailers Assn., P. O. Box 44034, Baton Rouge, LA 70804, 225-344-9481, submitted a witness card in support of the bill.

Representative Berthelot offered a motion to report House Bill No. 1062 with amendments. Without objection, House Bill No. 1062 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Concurrent Resolution No. 70 by Representative Harrison

Representative Harrison presented House Concurrent Resolution No. 70, which applies to congress under U.S. Const. Art. V to call a convention of the states to propose a U.S. constitutional amendment to require a balanced budget.

Ms. Dawn Starns, NFIB (no address provided), submitted a witness card indicating support for the measure but did not testify.

Representative Danahay offered a motion to involuntarily defer action on House Concurrent Resolution No. 70, to which Representative Schroder objected. A roll call vote was taken and by a vote of 2 yeas and 5 nays, the motion failed to pass. Representatives Danahay and Miller voted yea. Representatives Barras, Berthelot, Pugh, Schroder, and Burns voted nay.

Representative Burns offered a motion to report House Concurrent Resolution No. 70 favorably. Without objection, the resolution was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 764 by Representative Pearson

Representative Pearson presented House Bill No. 764, which provides for the licensing of health insurance navigators and registration of non-navigator personnel by the commissioner of insurance.

Representative Burns offered a set of technical amendments 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, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

Mr. Kory Harvey, representing Commissioner of Insurance Jim Donelon, 1702 N. Third Street, Baton Rouge, LA, provided information on the bill.

Ms. Ronnell Nolan, HAFA, P. O. Box 65128, Baton Rouge, LA, 225-921-6711; Ms. Bridgette Jamison, LABI, 3113 Valley Creek Drive, Baton Rouge, LA 70808, 225-928-5388; Mr. Marlon Terrell, Underwriters Insurance Agency, 10709 Chef Menteur Hwy., New Orleans, LA 504-302-0620; Ms. Bridgette Rushing, CRSI (address illegible), Denham Springs, LA 70726, 225-361-1765; Ms. Cheryl Tolbert, LBGH, 12046 Justice Ave., Baton Rouge, LA 70816, 225-223-2550; Mr. Danny Ford, NAIFA, 143 Cloud Drive, Baton Rouge, LA 70806; and Mr. Jeff Albright, Independent Insurance Agents, 9818 Bluebonnet Blvd., Baton Rouge, LA 70810, 225-819-8007, submitted witness cards in support of the bill but did not speak.

Representative Schroder offered a motion to report House Bill No. 764 with amendments. Without objection, House Bill No. 764 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 190 by Representative Miller

Representative Miller presented House Bill No. 190, which removes a nepotism exception for certain health professionals in a parish with a population of between four hundred thousand and four hundred forty thousand.

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

Mr. Nic Walts, Lafayette General Medical Center, 1200 Camellia Blvd., Suite 101, Lafayette, LA 70805, 337-989-0071, submitted a witness card in opposition but did not testify.

Representative Danahay offered a motion to report House Bill No. 190 favorably. Without objection, House Bill No. 190 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

House Bill No. 265 by Representative Miller

Representative Miller presented House Bill No. 265, which prohibits the expenditure of campaign funds to purchase immovable property or a motor vehicle.

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

Representative Berthelot offered a motion to report House Bill No. 265 favorably. Without objection, House Bill No. 265 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. 1079 by Representative Tim Burns

Representative Miller and Representative Tim Burns presented House Bill No. 1079, which requires the report of each campaign expenditure to include a detailed explanation of the purpose of each expenditure containing sufficient information to relate the expenditure to an acceptable use.

Representative Danahay offered a set of technical amendments to the bill and made 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.

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

Mr. Robert Travis Scott and Mr. Terry Ryder, PAR, 4664 Jamestown Ave., Baton Rouge, LA 70808, 225-926-8414, spoke in support of the bill.

Representative Berthelot offered a motion to report House Bill No. 1079 with amendments. Without objection, House Bill No. 1079 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. 1211 by Representative Tim Burns

Representative Tim Burns presented House Bill No. 1211, which extends by five days the period during which no precinct change may be made or annexation implemented and requires specified information concerning such to be submitted five days earlier.

Ms. Angie Rogers, commissioner of elections, 8585 Archives Ave., Baton Rouge, LA 70809, 225-922-2880, provided information on the bill.

Representative Pugh offered a motion to report House Bill No. 1211 favorably. Without objection, House Bill No. 1211 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. 406 by Representative Tim Burns

Representative Tim Burns presented House Bill No. 406, which requires the consideration of certain provider impact issues and issuance of a provider impact statement prior to the adoption, amendment, or repeal of rules by a state agency.

Mr. Ryan Haynie, Alliance of Independent Providers, P. O. Box 44032, Baton Rouge, LA; and Mr. Randal Johnson, CARS, 543 Spanish Town Road, Baton Rouge, LA 70802, 225-381-0166, submitted witness cards in support of the bill.

Representative Burns presented a substitute bill that would provide specified procedures for notice, public hearings, reports, and legislative oversight regarding permits from the office of conservation of the Department of Natural Resources for operations that involve hydraulic fracture stimulation in a parish in which such has not occurred.

Representative Burns offered a motion to report House Bill No. 406 by substitute. Without objection, House Bill No. 406 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.

IV. OTHER BUSINESS

There was no other business to come before the committee.

V. ANNOUNCEMENTS


There were no announcements.

VI. ADJOURNMENT

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

The meeting was adjourned at 11:57 a.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tim Burns" followed by a stylized flourish.

Tim Burns, Chairman
House and Governmental Affairs

/so

Date Approved: : 3-4-15