

House Committee on House and Governmental Affairs

Minutes of Meeting
2014 Regular Session
April 29, 2014

I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:31 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 John A. Berthelot
Representative Randal L. Gaines
Representative Gregory A. Miller
Representative Stephen E. Pugh
Representative John M. Schroder, Sr.

MEMBERS ABSENT:

Representative Taylor F. Barras
Representative Jared C. Brossett

STAFF MEMBERS PRESENT:

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

III. DISCUSSION OF LEGISLATION

House Bill No. 430 by Representative Tim Burns

House Bill No. 430 creates an exception to the public records law for certain information relative to employees of certain public agencies.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 430. Without objection, action on House Bill No. 430 was voluntarily deferred by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

House Bill No. 870 by Representative Richard

House Bill No. 870 prohibits certain transactions involving charter schools. There was no discussion on the bill.

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 5 yeas and 0 nays. Representatives Berthelot, Danahay, 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.

Ms. Ayn Stehr, Louisiana Association of Social Workers, 18906 Spyglass Hill, Baton Rouge, LA, submitted a witness card indicating opposition to the bill.

Representative Schroder offered a motion to report House Bill No. 373 favorably, to which Representative Danahay objected. A roll call vote was taken, and House Bill No. 373 was reported favorably by a vote of 3 yeas and 2 nays. Representatives Berthelot, Schroder, and Burns voted yea. Representatives Danahay and Pugh voted nay.

House Bill No. 112 by Representative Richard

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

At the request of the author, Representative Burns 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 5 yeas and 0 nays. Representatives Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

House Bill No. 452 by Representative Talbot

Representative Talbot presented House Bill No. 452, which prohibits public servants from engaging in certain activities with public funds and assets.

Representative Burns offered a set of amendments on behalf of the author and offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Pugh, Schroder, and Burns voted yea.

Mr. Robert Yarborough, LSU Board of Supervisors, P. O. Box 3374, Baton Rouge, LA 70821, 225-978-1127, testified in opposition to the legislation.

Mr. Thomas Enright, office of the governor, 4th Floor, State Capitol, Baton Rouge, LA, 225-342-8212; and Mr. E. Pete Adams, Louisiana District Attorneys Association, 1645, Nicholson Dr., Baton Rouge, LA 70802, submitted witness cards in opposition to the bill but did not testify.

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

Representative Danahay 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 Berthelot, Danahay, Gaines, Pugh, Schroder, and Burns voted yea.

House Bill No. 909 by Representative Leopold

Representative Leopold presented House Bill No. 909, which provides for the Property Insurance Clarity Act. It requires homeowner's insurers to provide data on direct incurred losses, number of policies in force, and direct earned premiums to the commissioner of insurance to aggregate and publish on the Department of Insurance website.

Representative Danahay offered a set of amendments that would make technical changes as well as change certain dates in the bill.

Representative Danahay offered a motion to adopt the amendments. Without objection, the amendments were adopted with changes explained by staff by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Pugh, Schroder, and Burns voted yea.

Mr. Donald Bogen, Jr., Bayou Interfaith (no address provided); Mr. David Gauthé, BISCO, 1922 Bayou Road, Thibodaux, LA 70301; Mr. E. Ross Buckley, Jr., deputy Jefferson Parish attorney, 1221 Elmwood Park Blvd., Jefferson, LA; and Ms. Deborah Foshee, Jefferson Parish Attorney, 1221 Elmwood Park Blvd., Jefferson, LA, submitted cards for information but did not speak.

Mr. Tyron Picard, Oxfam, 1200 Camellia Blvd., Suite 101, Lafayette, LA 70508; Mr. Telle Madina, Oxfam America, 3520 Gen. DeGaulle Drive, New Orleans, LA, 504-296-7351; and Mr. John Young, Jefferson Parish President, 1221 Elmwood Park Blvd., Jefferson, LA, 504-736-7400, submitted witness cards indicating support of House Bill No. 909.

Representative Berthelot offered a motion to report House Bill No. 909 with amendments. Without objection, House Bill No. 909 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Pugh, and Schroder voted yea.

House Concurrent Resolution No. 107 by Representative Hunter

Representative Hunter presented House Concurrent Resolution No. 107, which provides relative to bills that contain only technical amendments to provisions of law.

Representative Gaines offered a motion to report House Concurrent Resolution No. 107 favorably, to which Representative Schroder objected. A roll call vote was taken, and by a vote of 2 yeas and 4 nays, the motion failed to pass. Representatives Berthelot and Gaines voted yea. Representatives Danahay, Miller, Pugh, and Schroder voted nay.

Representative Danahay offered a motion to involuntarily defer action on House Concurrent Resolution No. 107. Without objection, action on House Concurrent Resolution No. 107 was involuntarily deferred by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Pugh, and Schroder voted yea.

House Bill No. 1185 by Representative Hunter

Representative Hunter presented House Bill No. 1185, which provides relative to legislation re-creating statutory entities.

Representative Gaines offered a motion to report House Bill No. 1185 favorably, to which Representative Miller objected. A roll call vote was taken, and House Bill No. 1185 was reported favorably by a vote of 3 yeas and 2 nays. Representatives Berthelot, Gaines, and Pugh voted yea. Representatives Danahay and Miller voted nay.

House Concurrent Resolution No. 85 by Representative Smith

Representative Smith presented House Concurrent Resolution No. 85, which requests agencies in state government to adopt "ban the box" employment policies.

Representative Gaines offered a motion to report House Concurrent Resolution No. 85 favorably, to which Representative Berthelot objected. A roll call vote was taken and House Concurrent Resolution No. 85 was reported favorably by a vote of 4 yeas and 1 nays. Representatives Danahay, Gaines, Miller, and Pugh voted yea. Representative Berthelot voted nay.

House Bill No. 1090 by Representative Hollis

Representative Hollis presented House Bill No. 1090, which provides relative to the Interstate Health Care Compact.

Mr. Dan Tripp, Healthcare Compact Alliance, 300 Hickory Lane, Maucoin, SC 29662, 803-979-1951, spoke in support of the bill.

Representative Berthelot offered a motion to report House Bill No. 1090 favorably, to which Representative Gaines objected. A roll call vote was taken and by a vote of 2 yeas and 3 nays, the motion failed to pass. Representatives Berthelot and Pugh voted yea. Representatives Danahay, Gaines, and Miller voted nay.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 1090. Without objection, action on House Bill No. 1090 was involuntarily deferred by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh voted yea.

House Bill No. 1226 by Representative Norton

Representative Norton presented House Bill No. 1226, which requires a former elected official to remove certain signs and avoid using certain letterhead following the termination of the holding of elected public office.

There was no discussion on the legislation.

At the request of the author, Representative Danahay offered a motion to voluntarily defer action on House Bill No. 1226. Without objection, action on House Bill No. 1226 was voluntarily deferred by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh voted yea.

House Bill No. 1168 by Representative Norton

Representative Norton presented House Bill No. 1168, which provides an exception to allow certain elected officials who serve on the board of a nonprofit organization to participate in transactions involving the governmental entity and the nonprofit organization.

Mr. Kenneth R. Epperson, Sr., Caddo Parish Commission, 505 Travis St., Shreveport, LA 71101, 318-226-6596, spoke in support of the legislation.

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

Representative Pugh offered a motion to involuntarily defer action on House Bill No. 1168, to which Representative Gaines objected. A roll call vote was taken and action on House Bill No. 1168 was involuntarily deferred by a vote of 4 yeas and 1 nays. Representatives Berthelot, Danahay, Miller, and Pugh voted yea. Representative Gaines voted nay.

House Concurrent Resolution No. 77 by Representative Barrow

Representative Barrow presented House Concurrent Resolution No. 77, which requests the State Civil Service Commission to provide a mechanism for placing employees in a specified situation on a preferred re-employment list and which she said was in response to the abrupt closure of a state correctional facility.

Mr. Ed Parker, AFSCME, 429 Government St., Baton Rouge, LA said in support of the measure that employees' rights were violated under civil service rules.

Representative Gaines offered a motion to report House Concurrent Resolution No. 77 favorably. Without objection, House Concurrent Resolution No. 77 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh voted yea.

House Concurrent Resolution No. 78 by Representative Barrow

Representative Barrow presented House Concurrent Resolution No. 78, which requires certain information concerning boards and commissions to be included on the Internet website of the legislature.

Ms. Ayn Stehr, Louisiana Association of Social Workers, 18906 Spyglass Hill, Baton Rouge, LA 70809, submitted a witness card indicating support for the resolution.

Representative Danahay offered a motion to voluntarily defer action on House Concurrent Resolution No. 78. Without objection, House Concurrent Resolution No. 78 was voluntarily deferred by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh voted yea.

House Bill No. 313 by Representative Champagne

Representative Champagne presented House Bill No. 313, a constitutional amendment which provides term limits for certain statewide elected officials of three four-year terms.

The Honorable Jay Dardenne, Lt. governor (no address provided) 225-342-7009, and Courtney Baker, LABI, 3113 Valley Creek Dr., Baton Rouge, LA, 225-928-5388, submitted witness cards in support of the bill but did not testify.

The Honorable Buddy Caldwell, attorney general, 1883 N. Third St., Baton Rouge, LA 225-326-6769, said in opposition to the bill that the position to which he is elected is nonpolitical.

Mr. Trey Phillips, first assistant attorney general, 1883 N. Third St., Baton Rouge, LA, 225-326-6769, testified in opposition to the bill.

Mr. Gary Bennett and Mr. Michael Ranatza, La. Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, 225-343-8402, spoke in opposition to the bill.

Mr. James Laurent, Jr. and Mr. Barney Altazan, La. Assessors' Association, P. O. Box 14699, Baton Rouge, LA, 225-928-8886; Mr. Rickey Huval, Iberia Parish Assessor (no address provided), New Iberia, LA; and Mr. Randy Ritchie, West Feliciana Parish assessor, P. O. Box 279, St. Francisville, LA, 225-635-3350, submitted witness cards in opposition to the bill but did not speak.

Representative Danahay offered a set of technical amendments and made a motion to adopt the same. Without objection, the amendments were adopted by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh voted yea.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 313. Without objection, action on House Bill No. 313 was involuntarily deferred by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh voted yea.

House Bill No. 1102 by Representative Champagne

Representative Champagne presented House Bill No. 1102, which prohibits use of public funds for certain advertisements.

Mr. James Laurent, Jr. and Mr. Barney Altazan, La. Assessors' Association, P. O. Box 14699, Baton Rouge, LA, 225-928-8886; Mr. Rickey Huval, Iberia Parish Assessor (no address provided), New Iberia, LA; Mr. Michael Ranatza, La. Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, 225-343-8402; and Mr. Randy Ritchie, West Feliciana Parish assessor, P. O. Box 279, St. Francisville, LA, 225-635-3350, submitted witness cards indicating their opposition to the bill but did not speak.

Representative Berthelot offered a motion to involuntarily defer action on House Bill No. 1102. Without objection, action on House Bill No. 1102 was involuntarily deferred by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, and Pugh 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 12:57 p.m.

Respectfully submitted,



Tim Burns, Chairman
House and Governmental Affairs

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Date Approved: : 3-4-15