

House Committee on House and Governmental Affairs

Minutes of Meeting
2014 Regular Session
May 6, 2014

I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:32 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 Gregory A. Miller
Representative Stephen E. Pugh
Representative John M. Schroder, Sr.

MEMBERS ABSENT:

Representative Randal L. Gaines

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

Senate Bill No. 593 by Senator Crowe

Senator Crowe presented Senate Bill No. 593, which limits the number of terms of office of any elected official of certain municipalities.

Representative Berthelot offered a motion to report Senate Bill No. 593 favorably. Without objection, Senate Bill No. 593 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, and Burns voted yea.

Senate Bill No. 642 by Senator Crowe

Senator Crowe presented Senate Bill No. 642, which increases annual audit requirements for certain entities in certain parishes.

Mr. Daryl Purpera, legislative auditor (no address provided), 225-339-3800, was available to provide information but did not testify.

Representative Berthelot offered a motion to report Senate Bill No. 642 favorably. Without objection, Senate Bill No. 642 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, and Burns voted yea.

Senate Bill No. 235 by Senator Allain

Senator Allain presented Senate Bill No. 235, which requires written or emailed notice of a meeting concerning tax measures to be provided to certain officials and excludes certain meetings of political subdivisions concerning tax measures from certain notice requirements.

Mr. James Laurent, Jr., Louisiana Assessor's Association, Baton Rouge, LA (address incomplete), spoke in favor of the bill.

Mr. Barney Altazan, Louisiana Assessor's Association, P. O. Box 14699, Baton Rouge, LA, 225-928-8886, submitted a witness card indicating support of the bill.

Representative Barras offered a motion to report Senate Bill No. 235 favorably. Without objection, Senate Bill No. 235 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, and Burns voted yea.

Senate Bill No. 60 by Senator Gallot

Senator Gallot presented Senate Bill No. 60, which removes the prohibition of recognition of an Independent party.

Representative Danahay offered a motion to report Senate Bill No. 60 favorably. Without objection, Senate Bill No. 60 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, and Burns voted yea.

Senate Bill No. 180 by Senator Gallot

Senator Gallot presented Senate Bill No. 180, which provides for the Louisiana State Law Institute recommending repeal, removal or revision of law that has been declared unconstitutional by final and definitive court judgment.

Mr. Michael Ranatza, executive director, and Mr. Gary Bennett, Louisiana Sheriffs' Association, 1175 Nicholson Drive, Baton Rouge, LA, 225-343-8402, submitted witness cards in support of the bill.

Representative Pugh offered a motion to report Senate Bill No. 180 favorably. Without objection, Senate Bill No. 180 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

Senate Bill No. 43 by Senator Broome

Representative Tim Burns presented Senate Bill No. 43 on behalf of the author. The bill revises youth membership and staffing for the Legislative Youth Advisory Council.

Representative Burns offered a motion to report Senate Bill No. 43 favorably. Without objection, Senate Bill No. 43 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

Senate Bill No. 319 by Senator Donahue

Representative Tim Burns presented Senate Bill No. 319 on behalf of the author. The bill provides that certain audits completed by the office of the legislative auditor shall be reported to the Joint Legislative Committee on the Budget on an annual basis.

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

Representative Berthelot offered a motion to report Senate Bill No. 319 with amendments. Without objection, Senate Bill No. 319 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

House Bill No. 452 by Representative Talbot

Representative Talbot resumed presentation of House Bill No. 452 from the committee's April 29, 2014, meeting. It prohibits public servants from engaging in certain activities with public funds and assets.

Representative Talbot reminded the committee that an amendment had been adopted at the previous meeting.

Representative Burns offered a set of amendments for the author relative to violations of the proposed law.

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

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

Mr. Thomas Enright, governor's office, 4th Floor, State Capitol, Baton Rouge, Louisiana, 225-342-8212, testified in opposition to the bill.

Mr. E. Pete Adams, Louisiana District Attorneys Association, 1645, Nicholson Dr., Baton Rouge, LA 70802; Mr. Ernest Stephens and Mr. Eric Foglesong, Louisiana AFL-CIO, 429 Government St., Baton Rouge, LA 70802, 225-383-5741; Mr. Nicholas Felton, New Orleans Fire Fighters, 3520 General DeGaulle Dr., New Orleans, LA, 504-366-8564; Mr. Mike Myers, Red River United, 1726 Line Ave., Shreveport, LA 71101, 318-424-4579; Mr. Doug Watts, United Steelworkers (no address provided); Mr. Ed Parker, AFSCME, 429 Government Street, Baton Rouge, LA, 225-927-2800; Mr. David S. Duplechain, United Transportation Union, 429 Government Street, Baton Rouge, LA; Mr. Charles R. Scott, Louisiana District Attorneys Association/Caddo District Attorney, 501 Texas Street, Shreveport, LA, 318-226-6956, Mr. Judy McCleary, Calcasieu Parish Police Jury, 14978 Centenary, St. Francisville, LA; and Mr. Rodney Braxton, City of New Orleans, 543 Spanish Town Rd., Baton Rouge, LA, submitted witness cards in opposition to the bill but did not testify.

Representative Schroder offered a motion to report House Bill No. 452 with amendments, to which Representative Danahay 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 Schroder voted yea. Representatives Barras, Danahay, Pugh, and Burns voted nay.

Representative Burns offered a motion to involuntarily defer action on House Bill No. 452. Without objection, action on House Bill No. 452 was involuntarily deferred by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

Senate Bill No. 460 by Senator Adley

Senator Adley presented Senate Bill No. 460, which requires schools receiving certain state scholarship funds to maintain funds in a separate account or use certain accounting procedures established for the legislative auditor.

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

Mr. Jim Melohn, St. Charles Parish School Board, 13855 River Road, Luling, LA, 985-785-6112; Mr. Scott Richard, Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, 225-769-3191; Mr. Todd Gennardo, Louisiana Conference of Catholic Bishops, 1010 Common St., New Orleans, LA 70112, 504-522-4756; Mr. Danny Lorr, Louisiana Conference of Catholic Bishops, 2431 S. Acadian Thruway, Baton Rouge, LA, 225-344-7120; Mr. Dannie P. Garrett, LSBA, 263 Third St., Suite 707, Baton Rouge, LA 70801, 225-382-0333; Ms. Brigitte Nieland, LABI, 3113 Valley Creek Dr., Baton Rouge, LA 70808, 225-928-5388; Ms. Kelli Bottger, La. Federation for Children, 37397 Cypress Alley Ave., Gonzales, LA 70737; and Dr. Raenell Houston, Catholic Schools—Archdiocese of New Orleans (address illegible), New Orleans, LA 70125, 504-206-8190, filed witness cards in support of the bill but did not testify.

Representative Berthelot offered a motion to report Senate Bill No. 460 with amendments. Without objection, Senate Bill No. 460 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

House Concurrent Resolution No. 113 by Representative Arnold

Representative Arnold and Orleans Parish Clerk of Court Arthur Morrell (no witness card submitted) presented House Concurrent Resolution No. 113, which requests the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study the advisability of requiring each registrar of voters to serve for a term of office concurrent with the term of office of the appointing authority.

Representative Burns made a motion to adopt technical amendments to the measure. 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. Gloria Moreau, Avoyelles Parish Registrar of Voters, 312 N. Main St., Suite E, Marksville, LA, 318-253-7129; Ms. Linda K. Rodrigue and Ms. Patricia Breaux, Terrebonne Parish Office of the Registrar of Voters, 8026 Main Street, Houma, LA 70360, 985-873-6533; Mr. Phil Trupiana and Mr. Christopher D'antoni, Jefferson Parish Registrar of Voters Office, 5001 Westbank Expressway, Marrero, LA, 504-261-4439; and Ms. Mildred L. Adams, Iberia Parish Registrar of Voters, 300 S. Iberia St., New Iberia, LA 70560, 337-369-4407, submitted cards for information on the resolution.

Mr. Brian Champagne, St. Charles Parish Registrar of Voters, P. O. Box 315, Hahnville, LA 70057, 985-783-5120, provided information to the committee.

Representative Schroder offered a set of amendments to limit the proposed study to Orleans Parish 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 Schroder offered a motion to report House Concurrent Resolution No. 113 with amendments. Without objection, House Concurrent Resolution No. 113 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Schroder voted yea.

Senate Bill No. 161 by Senator Murray

Senator Murray presented Senate Bill No. 161, which provides relative to restitution of audit costs.

Mr. Daryl Purpera, legislative auditor (no address provided), 225-339-3800, provided information on the bill.

Representative Miller offered a set of amendments to add provisions requiring a finding of fraud, theft, or other misappropriation before the attorney general is authorized to seek recovery of the costs of the legislative auditor.

Representative Miller 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.

Representative Miller offered a motion to report Senate Bill No. 161 with amendments. Without objection, Senate Bill No. 161 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

Senate Bill No. 220 by Senator Murray

Senator Murray presented Senate Bill No. 220, which provides relative to notification of the legislative auditor and district attorney of the misappropriation of certain public funds and restitution of audit costs.

Mr. Daryl Purpera, legislative auditor (no address provided), 225-339-3800, provided information on the bill.

Representative Danahay offered a set of amendments to define "reasonable cause" and offered a motion to adopt the amendments. Without objection, the committee adopted the amendments by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

Representative Miller offered a set of amendments to include language relative to a finding of misappropriation.

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

Representative Pugh offered a motion to report Senate Bill No. 220 with amendments. Without objection, Senate Bill No. 220 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

Senate Bill No. 224 by Senator Murray

Senator Murray presented Senate Bill No. 224, which provides relative to the posting of auditor notices on the website of the auditee.

Mr. Daryl Purpera, legislative auditor (no address provided), 225-339-3800, provided information on the bill.

Representative Burns offered a set of technical amendments 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 Danahay offered a motion to report Senate Bill No. 224 with amendments. Without objection, Senate Bill No. 224 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. 923 by Representative Ivey

Representative Ivey presented a proposed substitute bill for House Bill No. 923, which requires governing authorities of parishes and municipalities to make meeting agendas, minutes, and votes available on the Internet.

Mr. Daniel Hayes, 216 Munson Ave., Metairie, LA, spoke in favor of the bill.

Mr. Richard Brown, 824 Sessions Lane, Kenner, LA, 504-487-7890, testified in support of the bill.

Ms. Courtney Baker, LABI (no address provided), 225-931-7373; Mr. Michael Dodd, Libertarian party of Orleans Parish, 1514 Jefferson Ave., New Orleans, LA; Ms. Wendy Adams, Libertarian Party of Louisiana, 121 Rosa Ave., Metairie, LA; Ms. Ayn Stehr, National Association of Social Workers, 18906 Spyglass Hill, Baton Rouge, LA 70809; Mr. John Henderson, III, 7709 Richard St., Metairie, LA; and Mr. Jeff Sanford, 8552 United Plaza Blvd., Baton Rouge, LA, 252-761-9200, submitted witness cards in support of the legislation.

Ms. Pamela Mitchell, Louisiana Press Association, 404 Europe St., Baton Rouge, LA 70802, 225-344-9309, spoke in opposition to the bill.

Mr. Mike Rood, Louisiana Press Association, 404 Europe St., Baton Rouge, LA 70802, 225-344-9309, spoke in opposition to the bill.

Mr. Johnny Koch, Louisiana Press Association, 8440 Jefferson Highway, Baton Rouge, LA, 225-929-7033, spoke in opposition to the bill.

Mr. Sam Hanna, Jr., Hanna Newspapers, West Monroe, Winnsboro, and Ferriday (no address provided); Mr. Wilbur Reynaud, *News-Examiner*, *Enterprise*, and *Pioneer*; P.O. Drawer N, Lutcher, LA 225-869-8566; Mr. Gary Miller, Louisiana State Newspapers, Lafayette, LA, 225-773-6056; and Ms. Gina Goings, *The Advocate*, 1445 Lakeridge Drive, Baton Rouge, LA 70802, 225-326-1244, filed witness cards in opposition to the bill but did not testify.

Representative Schroder offered a motion to report House Bill No. 923 by substitute, to which Representative Danahay objected. A roll call vote was taken and by a vote of 1 yeas and 6 nays, the motion failed to pass. Representative Schroder voted yea. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted nay.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 923. Without objection, action on House Bill No. 923 was involuntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, and Burns voted yea.

Senate Bill No. 208 by Senator Ward

Senator Ward presented Senate Bill No. 208, which prohibits a public officer who has been removed from office pursuant to a recall election from qualifying for the same office at a special election to fill the position.

Representative Burns offered a set of amendments to provide for clarification of language in the bill.

Representative Burns 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.

Representative Berthelot offered a motion to report Senate Bill No. 208 with amendments. Without objection, Senate Bill No. 208 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

Senate Bill No. 386 by Senator LaFleur

Senator LaFleur and Mr. Daryl Purpera, legislative auditor (no address provided), 225-339-3800, presented Senate Bill No. 386, which provides relative to audits by the legislative auditor of political subdivisions.

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 5 yeas and 0 nays. Representatives Berthelot, Danahay, Miller, Pugh, and Burns voted yea.

Representative Danahay proposed an amendment relative to reimbursements to the officer for expenses related to their position.

Representative Burns 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.

Representative Pugh offered a motion to report Senate Bill No. 386 with amendments. Without objection, Senate Bill No. 386 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Pugh, Schroder, 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 11:46 a.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tim Burns /s/". The signature is written in a cursive style with a long horizontal stroke at the end.

Tim Burns, Chairman
House and Governmental Affairs

/so

Date Approved: : 3-4-15