

## House Committee on House and Governmental Affairs

Minutes of Meeting  
2014 Regular Session  
May 14, 2014

### I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:37 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:

None

#### STAFF MEMBERS PRESENT:

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

### III. DISCUSSION OF LEGISLATION

#### Senate Concurrent Resolution No. 81 by Senator Guillory

Senator Guillory presented Senate Concurrent Resolution No. 81, which declares Sunset, Louisiana, the "Rubboard Capital of the World".

Representative Danahay offered a motion to report Senate Concurrent Resolution No. 81 favorably. Without objection, Senate Concurrent Resolution No. 81 was reported favorably by a vote of 7 yeas

and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

### **Senate Bill No. 532 by Senator Guillory**

Senator Guillory presented Senate Bill No. 532, which provides for the creation of the Veterans Court Program.

Representative Burns offered a set of technical amendments relative to confidentiality of treatment records and made a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Representative Burns offered a set of amendments to remove the reference to a defendant with misdemeanor or felony charges from the definition of "veteran" and made a motion to adopt the same. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Representative Burns offered a set of amendments recommended by the District Attorney's Association to clarify that the district attorney makes the recommendation relative to the benefit of certain defendants participating in the program. 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 Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Mr. Rodney Alexander, Department of Veterans Affairs (no address provided), was present to provide information.

Ms. Fredericka Wicker, Sentencing Commission (no address provided) 504-376-1420; Mr. George Steimel, LACDL, 15453 Patrick Duke, Baton Rouge, LA; Mr. Chance McNeely, governor's office, (no address provided), 225-788-5068; Mr. E. Pete Adams, Louisiana District Attorneys Association, 1645 Nicholson Dr., Baton Rouge, LA 70802; and Ms. Ayn Stehr, National Association of Social Workers, Louisiana Chapter, 18906 Spyglass Hill, Baton Rouge, LA 70809, submitted witness cards indicating their support of the legislation.

Representative Schroder offered a motion to report Senate Bill No. 532 with amendments. Without objection, Senate Bill No. 532 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.

### **Senate Bill No. 353 by Senator Peacock**

Senator Peacock presented Senate Bill No. 353, which provides that certain records relative to jury selection and jurors are not public records, which proposal he said tracks federal law.

Mr. Cloyce Clark, Caddo Parish district attorney's office, 501 Texas Ave., Shreveport, LA 71101, spoke in favor of the bill.

Senator Morrell spoke in favor of the bill.

Representative Pugh offered a motion to report Senate Bill No. 353 favorably. Without objection, Senate Bill No. 353 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

#### **Senate Bill No. 635 by Senator LaFleur**

Senator LaFleur presented Senate Bill No. 635, which moves the Cecil J. Picard Educational and Recreational Center from the Department of Education to the office of juvenile justice.

Senator LaFleur requested an amendment to change the effective date from January 1, 2015, to July 1, 2014.

Representative Burns offered the amendment for the author 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.

Representative Danahay offered a motion to report Senate Bill No. 635 with amendments. Without objection, Senate Bill No. 635 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.

#### **Senate Concurrent Resolution No. 54 by Senator Morrell**

Senator Morrell presented Senate Concurrent Resolution No. 54, which creates the Capital Punishment Fiscal Impact Commission.

Representative Burns offered a set of amendments to change the deadline for the commission to report its findings from February 1, 2016, to January 1, 2016, and to change the termination date of the commission from February 2, 2016, to January 2, 2016.

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, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

Mr. George Steimel, LACDL, 15453 Patrick Duke, Baton Rouge, LA; Ms. Ayn Stehr, National Association of Social Workers, Louisiana Chapter, 18906 Spyglass Hill, Baton Rouge, LA 70809; Ms. Elizabeth Compa, The Promise of Justice Initiative, 636 Baronne St., New Orleans, LA 70113; Sidney Garmon, Louisiana Coalition for Alternatives to the Death Penalty, P. O. Box 70912, New Orleans, LA, 70190; and Mr. Rob Tasman, Louisiana Conference of Catholic Bishops, 2431 S. Acadian Thruway, Baton Rouge, LA 70808, 2 25-344-7120, submitted witness cards in support of the legislation.

Representative Barras offered a motion to report Senate Concurrent Resolution No. 54 with amendments. Without objection, Senate Concurrent Resolution No. 54 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.

**Senate Bill No. 332 by Senator Morrish**

Senate Bill No. 332 provides that bidding documents prior to opening bids are not subject to public records requirements.

At the request of the author, Representative Burns offered a motion to voluntarily defer action on the bill and to reschedule it for discussion at the next meeting. Without objection, action on Senate Bill No. 332 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

**Senate Bill No. 244 by Senator Morrish**

Senator Morrish and Mr. Jeff Drozda, Louisiana Association of Health Plans (LAHP), 450 Laurel St., #1450, Baton Rouge, LA 70802, 225-706-5527, presented Senate Bill No. 244, which provides with respect to rate filings with the commissioner of insurance.

Representative Burns offered a set of technical amendments to the bill 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. Derrell Cohoon, Capital Partners, 714 N. 5<sup>th</sup> Street, Baton Rouge, LA 70802, 225-336-4657; Ms. Cheryl McCormick, LAHP, 763 North Street, Baton Rouge, LA, 225-387-5960; and Mr. Rodney Braxton, Blue Cross/Blue Shield, 543 Spanish Town Rd., Baton Rouge, LA 70802, 225-381-0166, submitted witness cards in support of the bill.

Representative Miller offered a motion to report Senate Bill No. 244 with amendments. Without objection, Senate Bill No. 244 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.

**Senate Bill No. 245 by Senator Morrish**

Senator Morrish presented Senate Bill No. 245, which prohibits an appointing authority from appointing a person who is a member of the immediate family of a person who serves as a member of the same board or commission.

Representative Danahay offered a set of amendments to instead prohibit, in the boards and commissions section of law rather than in the ethics code, the appointment of a person who is a member of the immediate family of a person serving on the same entity at the time of the appointment.

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.

Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, was present to provide information upon request.

Representative Danahay offered a motion to report Senate Bill No. 245 with amendments. Without objection, Senate Bill No. 245 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

#### **Senate Concurrent Resolution No. 69 by Senator Morrish**

Senator Morrish presented Senate Concurrent Resolution No. 69, which creates the "Erin's Law" task force, otherwise known as the Task Force on the Prevention of Sexual Abuse of Children.

Mr. Todd Hine, 922 N. Prairieview, Lake Charles, LA, provided information on the bill.

Ms. Karen Hebert, Department of Children and Family Services, 627 N. 4th St., Baton Rouge, LA 70802, 225-342-7182, was present to provide information upon request.

Ms. Ayn Stehr, National Association of Social Workers, Louisiana Chapter, 18906 Spyglass Hill, Baton Rouge, LA 70809, submitted a witness card in support of the measure but did not testify.

Representative Berthelot offered a motion to report Senate Concurrent Resolution No. 69 favorably. Without objection, Senate Concurrent Resolution No. 69 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

#### **Senate Bill No. 122 by Senator Morrish**

Senator Morrish presented Senate Bill No. 122, which provides an exception to the Code of Governmental Ethics regarding certain contractual or other relationships by certain municipal elected officials in small towns.

Representative Danahay offered a set of technical amendments to replace proposed provisions with provisions limiting compensation received by a member or his legal entity to no more than \$10,000 per calendar year from any one person and to provide for reporting by the recipient.

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. George Marretta, Louisiana Municipal Association, 700 North 10th Street, Baton Rouge, LA, 70802, 225-344-5001, submitted a witness card in support of the bill.

Representative Danahay offered a motion to report Senate Bill No. 122 with amendments. Without objection, Senate Bill No. 122 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.

#### **Senate Bill No. 456 by Senator Allain**

Senator Allain presented Senate Bill No. 456, which he said equalizes application of nepotism provisions to certain hospital service districts in small localities.

Ms. Diane Yeates, Terrebonne General Medical Center, 8166 Main St., Houma, LA, 985-860-4671, testified in support of the bill.

Ms. Jennifer McMahon, Louisiana Hospital Association (no address provided), spoke in support of the bill.

Mr. Nic Walts, Lafayette General Medical Center, 1200 Camellia Blvd., Lafayette, LA 70508, 337-278-9132 submitted a card in support of the legislation.

Mr. Paul Labat, Terrebonne General Medical Center, 8166 Main St., Houma, LA, 985-860-4671, and Ms. Kathleen Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, were present to provide information upon request.

Representative Miller offered a set of amendments to repeal the exception that specifically applies to hospital service districts in a parish with a population of between 400,000 and 440,000 persons and to hospital public trust authorities located in such districts.

Representative Miller offered a motion to adopt the proposed amendments, to which Representative Berthelot objected. A roll call vote was taken and the amendments were adopted by a vote of 4 yeas and 3 nays. Representatives Danahay, Gaines, Miller, and Burns voted yea. Representatives Barras, Berthelot, and Schroder voted nay.

Representative Gaines offered a motion to report Senate Bill No. 456 with amendments. Without objection, Senate Bill No. 456 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

#### **House Bill No. 477 by Representative Mack**

House Bill No. 477 provides an exception to nepotism provisions. There was no discussion on the bill.

At the request of the author, Representative Danahay offered a motion to voluntarily defer action on House Bill No. 477. Without objection, action on House Bill No. 477 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

#### **Senate Concurrent Resolution No. 3 by Senator Mills**

Senator Mills presented Senate Concurrent Resolution No. 3, which requests the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to study the possibility of requiring background checks of candidates for public office to ensure the qualification of candidates for political office.

Representative Barras offered a motion to report Senate Concurrent Resolution No. 3 favorably. Without objection, Senate Concurrent Resolution No. 3 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Miller, Schroder, and Burns voted yea.

**Senate Bill No. 649 by Senator Mills**

Senator Mills presented Senate Bill No. 649, which provides for the Louisiana State Health Care Profession Institute.

Dr. Jim Taylor, LAFP, (address illegible), Zachary, LA 70791, 225-686-0158, and Shavaun Cotton, LAFP, 6444 Jones Creek Rd., Baton Rouge, LA 70817, submitted witness cards in opposition to the bill.

Representative Schroder offered a motion to involuntarily defer action on Senate Bill No. 649, to which Representative Barras objected. A roll call vote was taken and action on Senate Bill No. 649 was involuntarily deferred by a vote of 4 yeas and 3 nays. Representatives Danahay, Gaines, Miller, and Schroder voted yea. Representatives Barras, Berthelot, and Burns voted nay.

**Senate Concurrent Resolution No. 73 by Senator Ward**

Senator Ward presented Senate Concurrent Resolution No. 73, which establishes the Community Health Caucus of the Legislature of Louisiana.

Representative Danahay offered a motion to report Senate Concurrent Resolution No. 73 favorably. Without objection, Senate Concurrent Resolution No. 73 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

**IV. OTHER BUSINESS**

There was no other business to come before the committee.

**V. ANNOUNCEMENTS**

Representative Burns welcomed members of the leadership class of St. Tammany West School. He also acknowledged his legislative assistant, Amanda Paxton, visiting from his district office.

**VI. ADJOURNMENT**

The meeting was adjourned at 12:06 p.m.

Respectfully submitted,



Tim Burns, Chairman  
House and Governmental Affairs

/so

Date Approved: : 3-4-15