

## House Committee on House and Governmental Affairs

Minutes of Meeting  
2014 Regular Session  
May 21, 2014

### I. CALL TO ORDER

Representative Tim Burns, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:33 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.  
Representative Walt Leger, III, Ex Officio

#### MEMBERS ABSENT:

None

#### STAFF MEMBERS PRESENT:

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

### III. DISCUSSION OF LEGISLATION

#### **House Concurrent Resolution No. 155 by Representative Nancy Landry**

House Concurrent Resolution No. 155 requests a study to evaluate the need for laws and regulations relative to the riding of horses on public roads. There was no discussion of the resolution.

At the request of the author, Representative Burns offered a motion to voluntarily defer action on the measure. Without objection, action on House Concurrent Resolution No. 155 was voluntarily

deferred by a vote of 5 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, and Burns voted yea.

### **Senate Bill No. 470 by Senator Martiny**

Senator Martiny presented Senate Bill No. 470, which provides for time of reconfirmation for persons appointed to certain boards and commissions.

Ms. Yolanda Dixon, first assistant secretary of the Senate, assisted in the presentation.

Mr. Scott Kirkpatrick, Association of Levee Boards of Louisiana, 8440 Jefferson Highway, Baton Rouge, LA 70809, 225-929-7033, filed a witness card in support of the bill.

Representative Burns offered a set of amendments to have the body to which the person was appointed send notice to such person if not confirmed or reconfirmed rather than require such notification by the Senate.

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

Representative Pugh offered a motion to report Senate Bill No. 470 with amendments. Without objection, Senate Bill No. 470 was reported with amendments by a vote of 5 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Pugh, and Burns voted yea.

### **House Resolution No. 3 by Representative Leger**

Representative Leger presented House Resolution No. 3, which revises terminology in House Rules referring to persons with disabilities and other persons with exceptionalities.

Representative Burns offered a technical amendment to the resolution 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, Pugh, Schroder, and Burns voted yea.

Representative Danahay offered a motion to report House Resolution No. 3 with amendments. Without objection, House Resolution No. 3 was reported with amendments by a vote of 5 yeas and 0 nays. Representatives Berthelot, Danahay, Pugh, Schroder, and Burns voted yea.

### **Senate Bill No. 1 by Senator Claitor**

Senator Claitor presented Senate Bill No. 1, which enacts the "Legislative Scholarship Fairness Act".

Ms. Sharon Courtney and Mr. Stephen Wright, Tulane University, 200 Broadway, New Orleans, LA, 504-988-3399, provided information on the bill.

Representative Schroder offered a motion to report Senate Bill No. 1 favorably, 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, Gaines, Miller, and Burns voted nay.

Representative Danahay offered a motion to involuntarily defer action on Senate Bill No. 1. Without objection, action on Senate Bill No. 1 was involuntarily deferred by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

### **House Resolution No. 1 by Representative Moreno**

Representative Moreno presented House Resolution No. 1, which directs the legislative auditor to evaluate the use of solitary confinement in Louisiana.

Representative Burns offered an amendment to request the House Committee on Administration of Criminal Justice to perform the study and identify relevant best practices on the matter.

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

Ms. Emily Posner, 1649 N. Robertson, New Orleans, LA 70116, testified in favor of the measure.

Representative Berthelot offered a motion to report House Resolution No. 1 with amendments. Without objection, House Resolution No. 1 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 Resolution No. 10 by Representative Terry Landry**

Representative Gaines presented House Resolution No. 10 on behalf of the author. It requests the House Committee on Transportation to study the Louisiana Department of Transportation and Development's Disadvantaged Business Enterprise Program to determine if the department's contracting activities are in line with the program's objectives based on local marketplace conditions.

Representative Burns offered a motion to report House Resolution No. 10 favorably. Without objection, House Resolution No. 10 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

### **Senate Bill No. 303 by Senator Amedee**

Senator Morrell presented Senate Bill No. 303 on behalf of the author. The bill provides relative to service on boards and commissions as governed by the Code of Governmental Ethics.

Representative Burns offered a set of amendments at the request of Representative Rob Shadoin relative to members of the State Board of Elementary and Secondary Education and the ethical standards applied when contracting with state government.

Mr. Mike Dupree, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, was available to provide information on the bill.

Representative Rob Shadoin, House District 12, spoke in favor of the bill.

Mr. Rodney Braxton, City of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, 225-806-2522, submitted a witness card in support of the bill.

Representative Gaines offered a motion to report Senate Bill No. 303 with amendments. Without objection, Senate Bill No. 303 was reported with amendments by a vote of 5 yeas and 0 nays. Representatives Berthelot, Gaines, Miller, Schroder, and Burns voted yea.

#### **Senate Bill No. 132 by Senator Morrell**

Senator Morrell presented Senate Bill No. 132, which provides relative to the certain records held by the Board of Gaming Control.

Capt. Glen Hale, Louisiana State Police Gaming Division, 7919 Independence Blvd., Baton Rouge, LA, 225-925-4865, was available to provide information.

Mr. Wade Duty, Louisiana Casino Association, P.O. Box 3801, Baton Rouge, LA 225-344-0037, submitted a witness card indicating support for the bill.

Representative Schroder offered a motion to report Senate Bill No. 132 favorably. Without objection, Senate Bill No. 132 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Berthelot, Gaines, Miller, Schroder, and Burns voted yea.

#### **House Concurrent Resolution No. 147 by Representative Broadwater**

Mr. Joe R. Salter, secretary of state's office, P. O. Box 94125, Baton Rouge, LA, 225-922-0900, presented House Concurrent Resolution No. 147 on behalf of the author. The resolution provides for a study of voting technology, processes, and procedures.

Ms. Angie Rogers, commissioner of elections, secretary of state's office, P. O. Box 94125, Baton Rouge, LA, 225-922-0900, was available to provide information on the measure.

Ms. Sandra Slifer, president, League of Women Voters of Louisiana, 116 Tulip Drive, Covington, LA, 985-875-9388, submitted a witness card in favor of the bill.

Representative Schroder offered a motion to report House Concurrent Resolution No. 147 favorably. Without objection, House Concurrent Resolution No. 147 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Berthelot, Gaines, Miller, Schroder, and Burns voted yea.

#### **House Concurrent Resolution No. 168 by Representative Lorusso**

House Concurrent Resolution creates a study committee to study and make recommendations with respect to the implementation of the Food Safety Modernization Act. Mr. Stan Harris, president, Louisiana Restaurant Association, 2700 N. Arnoult Rd., Metairie, LA, 504-454-2277, presented the measure on behalf of the author.

Representative Burns offered a set of amendments to add the executive director of the Louisiana Meat Processors Association or his designee to the committee and to specify the appointing authority for certain members of the study committee.

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

Mr. Eldon Rogillio, Louisiana Restaurant Association, 2700 N. Arnoult Rd., Metairie, LA, 504-454-2277, submitted a witness card in support of the resolution.

Representative Berthelot offered a motion to report House Concurrent Resolution No. 168 with amendments. Without objection, House Concurrent Resolution No. 168 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

#### **Senate Bill No. 524 by Senator Walsworth**

Senator Walsworth and Mr. Alan Young, Child Care Association of Louisiana, 1001 Southland Park Drive, Shreveport, LA, 318-868-8181, presented Senate Bill No. 524. The bill provides for transfer of the lead agency for the Child Care and Development Fund Block Grant and the transfer of oversight and administration of licensing and regulation of early learning centers from the Department of Children and Family Services to the Department of Education.

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

Mr. Brent A. Villemarette, deputy secretary, Department of Children and Family Services, 627 North 4th St., Baton Rouge, LA, 225-342-6715, was present to provide information on the bill.

Mr. M. J. Hernandez, Ms. Cindy Bishop, and Mr. Earl Willis, Child Care Association of Louisiana, P. O. Box 80053, Baton Rouge, LA, submitted witness cards in favor of the bill but did not testify.

Representative Berthelot offered a motion to report Senate Bill No. 524 with amendments. Without objection, Senate Bill No. 524 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Schroder, and Burns voted yea.

#### **Senate Bill No. 446 by Senator Buffington**

Representative Berthelot presented Senate Bill No. 446 of behalf of the author. The bill provides relative to public records on the matter of security of the State Capitol.

Representative Miller submitted an amendment to the bill. No action was taken on the amendment.

Mr. Johnny Koch, Louisiana Press Association (no address provided), submitted a witness card in opposition to the bill.

At Representative Berthelot's request, Representative Schroder offered a motion to voluntarily defer action on the bill until the author could be present. Without objection, action on Senate Bill No. 446 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. 134 by Senator Amedee**

Representative Tim Burns presented Senate Bill No. 134 on behalf of the author. It provides relative to the Board of Ethics and Ethics Adjudicatory Board enforcement authority.

Ms. Kristy Gary, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, informed the committee that the bill was a recommendation of the board.

Representative Burns offered a set of amendments relative to service of notices of delinquency and sending of notices of final decision of the Ethics Adjudicatory Board.

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.

Representative Pugh offered a motion to report the bill with amendments. Without objection, Senate Bill No. 134 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Berthelot, Danahay, Gaines, Miller, Pugh, Schroder, and Burns voted yea.

#### **House Concurrent Resolution No. 170 by Representative Tim Burns**

Representative Burns presented House Concurrent Resolution No. 170, which directs state agencies to consider certain provider impact issues and to issue certain provider impact statements prior to the adoption, amendment, or repeal of rules.

Representative Pugh offered a motion to report House Concurrent Resolution No. 170 favorably. Without objection, House Concurrent Resolution No. 170 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Danahay, Gaines, Miller, Pugh, and Burns voted yea.

#### **Senate Bill No. 573 by Senator Chabert**

Senator Chabert and Senate staffer Mr. Toby Gascon presented Senate Bill No. 573, which creates the office of multimodal commerce in the Department of Transportation and Development.

Representative Burns offered a set of amendments to limit the applicability of the proposed law to ports, harbors, and water transportation systems, to make corresponding changes relative to creating an office within the Department of Economic Development and the creation of a transition commission, and to remove provisions for a division of the Offshore Terminal Authority within the newly created office.

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

Representative Walt Leger testified in favor of the amended bill.

Ms. Kerry Couvillon, Senate fiscal staff, provided information on the bill.

Mr. Jerry Jones, Northwest Louisiana Council of Government, 301 Main Street, #2100, Baton Rouge, LA, 225-490-5002, was available to provide information on the bill.

Mr. Mike Michot and Mr. Josh Borill, Greater Lafourche Port Commission, P. O. Box 80377, Lafayette, LA, 337- 989-0711; Mr. Chett Chaisson, Port Fourchon, 16829 East Main St., Galliano, LA 70354, 985-632-6701; Mr. Vic Lafont, South Louisiana Economic Council, P. O. Box 2048 (address incomplete) 985-448-4485; Mr. Chris Guidry, River Region Caucus (no address provided); Ms. Sarah Branch, Offshore Marine Service Association, 935 Gravier St., Suite 2440, New Orleans, LA 70112, 504-528-9411; Ms. Cathy Gautreaux, Louisiana Motor Transport Association, P. O. Box 80278, Baton Rouge, LA, 225-928-5682; Mr. Chris John, Louisiana Mid-Continent Oil and Gas Association, 730 North Blvd., Baton Rouge, LA, 225-347-3205; Mr. Jim Harris, Louisiana Ammonia Producers (no address provided); Mr. Matt Gresham, Port of New Orleans, 1350 Port of New Orleans Place, New Orleans, LA 70130, 504-528-3255; Mr. Eric Sunstrom, Houma Chamber of Commerce, P. O. Box 80106, Baton Rouge, LA 70898, 225-767-7908; Ms. Markey Pierre, Port of Caddo/Bossier, 401 Market Street, Suite 550, Shreveport, LA, 318-840-2799; Mr. C. J. Blache, Port of New Orleans, 8440 Jefferson Highway, Baton Rouge, LA, 225-929-7033; Mr. Z. David DeLoach, Louisiana Association of Waterways Operators, P. O. Box 576, Port Allen, LA, 225-336-9933; Ms. Ginger Adam Corley, Port of Lake Charles, 8250 North Harts Mill Lane, Baton Rouge, LA 70808, 225-767-5151; and Mr. Joe Accardo, Jr., Ports Association of Louisiana, 325 Belle Terre, Laplace, LA 70068, submitted witness cards in favor of the bill but did not speak.

Ms. Marie Centanni, Louisiana Industrial Development Executives Association (no address provided), 225-270-5014, filed a witness card in opposition to the bill but did not speak.

Representative Burns offered a motion to report Senate Bill No. 573 with amendments. Without objection, Senate Bill No. 573 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

#### **House Resolution No. 84 by Representative Barrow**

Representative Tim Burns presented House Resolution No. 84 on behalf of the author. It requests the House Committee on House and Governmental Affairs to examine the structure, functions, duties, and authority of the division of administrative law.

Ms. Ann Wise, Division of Administrative Law, P. O. Box 44033, Baton Rouge, LA, 225-342-1800, was present for information but did not speak.

Representative Burns offered a motion to report House Resolution No. 84 favorably. Without objection, House Resolution No. 84 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Barras, Berthelot, Danahay, Gaines, Miller, Pugh, and Burns voted yea.

#### **IV. OTHER BUSINESS**

There was no other business to come before the committee.

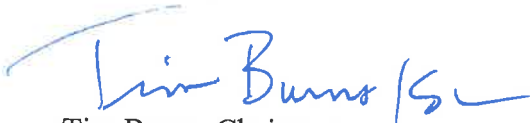
**V. ANNOUNCEMENTS**

Representative Burns announced that House Resolution No. 113 by Representative Lopinto would be scheduled for a subsequent meeting.

**VI. ADJOURNMENT**

The meeting was adjourned at 11:28 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 large initial "T" and "B".

Tim Burns, Chairman  
House and Governmental Affairs

/so

Date Approved: : 3-4-15