

Committee on House and Governmental Affairs

Minutes of Meeting
2015 Regular Session
April 22, 2015

I. CALL TO ORDER

Representative Tim Burns, chairman of the Committee on House and Governmental Affairs, called the meeting to order at 9:30 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 Jeff Arnold
Representative Taylor F. Barras
Representative John A. Berthelot
Representative Joseph Bouie Jr.
Representative Mike Danahay, Vice Chair
Representative Randal L. Gaines
Representative Mike Johnson
Representative Gregory A. Miller
Representative Stephen E. Pugh
Representative John M. Schroder, Sr.

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Patricia Lowrey-Dufour, Legislative Analyst
Mark Mahaffey, Attorney
Shawn O'Brien, Secretary

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, Sergeant at Arms
Linda Robillard, Sergeant at Arms

III. DISCUSSION OF LEGISLATION

House Bill No. 151 by Representative Stuart Bishop

Representative Stuart Bishop presented House Bill No. 151, which provides relative to the sale of maps and the conduct of certain elections by secretary of state, and to dedicate the revenues received for such services.

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

Representative Berthelot offered a motion to report House Bill No. 151 favorably. Without objection, House Bill No. 151 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 242 by Representative Tim Burns

Representative Burns presented House Bill No. 242, which makes revisions to the La. Election Code.

Representative Burns offered amendments, explained by Mr. Mark Mahaffey, staff attorney, to remove proposed provisions relative to the qualifications of commissioners and proposed provisions allowing certain persons to serve as commissioners.

Representative Burns offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

Representative Burns offered amendments to repeal present law providing for the opening of the qualifying period in certain special primary elections, and to add provisions changing the close of the qualifying period for the presidential preference primary.

Representative Burns offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

Ms. Merietta Norton, attorney for the secretary of state, P. O. Box 94125, Baton Rouge, LA 70804, 225-922-0547, explained technical changes in the bill that were requested by the secretary of state.

Ms. Kathleen Allen, administrator, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, explained provisions of the bill requested by her office.

Ms. Sandra McDade, LPC, 3112 Pines Road, Shreveport, LA, spoke in opposition to the bill.

Pursuant to her testimony, Representative Arnold offered a motion to remove proposed provisions requiring a list of watchers to contain the voter registration number of each watcher and alternate watcher. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

Mr. Kyle Ardoin, secretary of state's office, 8585 Archives Ave., Baton Rouge, LA, 225-922-2880, provided information.

Representative Miller offered an amendment to add provisions requiring the absentee by mail ballot envelope to include a line for the printed name of the witness.

Representative Miller offered a motion to adopt the proposed amendment. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

Witness cards submitted by individuals who did not speak are as follows: Three in support. Witness cards are included in the committee records.

Representative Burns offered a motion to report House Bill No. 242 with amendments. Without objection, House Bill No. 242 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 123 by Representative Thibaut

Representative Thibaut presented House Bill No. 123, which provides relative to the threshold for certain audit requirements.

Representative Burns offered technical amendments to the bill and made a motion to adopt the technical amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Miller, Pugh, and Schroder voted yea.

Ms. Joy Irwin, legislative auditor's office (no address provided), 225-936-2344, provided information on the bill.

Ms. Linda Babin, Society of Louisiana CPAs, 548 Lakeland Drive, Baton Rouge, 225-954-6673, spoke in support of the bill.

Witness cards submitted by individuals who did not speak are as follows: Two in support, one for information. Witness cards are included in the committee records.

Representative Berthelot offered a motion to report House Bill No. 123 with amendments. Without objection, House Bill No. 123 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 290 by Representative Norton

Representative Norton presented House Bill No. 290, which provides for an extension of time for voting on election day under certain circumstances.

Mr. Kenneth R. Epperson, Sr., Caddo Parish Commission and Police Jury Association of Louisiana, 505 Travis Street, Shreveport, LA 71119, 318-631-2581, testified in favor of the bill.

Mr. Lynn Jones, Clerks of Court, 3831 River Bluff Lane, Westlake, LA 70669, spoke in opposition to the bill.

Mr. Brandon Abadie, EBR Clerk of Court's office (no address provided), 225-389-7642, spoke in opposition to the bill.

Witness cards submitted by individuals who did not speak are as follows: One in support, one in opposition, and one for information. Witness cards are included in the committee records.

Representative Bouie offered a motion to report House Bill No. 290 favorably, to which Representative Danahay objected. A roll call vote was taken and by a vote of 1 yeas and 9 nays, the motion failed to pass. Representative Bouie voted yea. Representatives Burns, Arnold, Barras, Berthelot, Danahay, Johnson, Miller, Pugh, and Schroder voted nay.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 290. Without objection, action on House Bill No. 290 was involuntarily deferred by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 189 by Representative Ritchie

Representative Ritchie presented House Bill No. 189, a constitutional amendment providing relative to legislative sessions convening in even- and odd-numbered years.

Representative Burns offered a technical amendment to the bill's title.

Representative Burns offered a motion to adopt the proposed technical amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Burns, Arnold, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

Ms. Willie Marie Scott, legislative fiscal office, 18th Floor, State Capitol, provided technical information in response to Representative Schroder's question.

Representative Schroder offered a motion to report House Bill No. 189 with amendments. Without objection, House Bill No. 189 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Burns, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 518 by Representative Stokes

Representative Stokes presented House Bill No. 518, a constitutional amendment providing for matters which may be considered in a regular session convening in an odd-numbered year.

Representative Burns offered amendments that would remove the proposed additions of tax abatements, incentives, and rebates and tax administration, collection, imputation, and reporting to the subject matter jurisdiction of the regular session convening in an odd-numbered year; to broaden technical language; and make conforming changes to the ballot language.

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 Burns, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

Representative Danahay offered a motion to report House Bill No. 518 with amendments. Without objection, House Bill No. 518 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Burns, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 591 by Representative Broadwater

Representative Broadwater presented House Bill No. 591, which provides relative to election dates, qualifying, and withdrawal by candidates.

Ms. Angie Rogers, commissioner of elections, 8585 Archives Ave., Baton Rouge, LA 70809, 225-922-2880, and Mr. Kyle Ardoin, secretary of state's office, 8585 Archives Ave., Baton Rouge, LA, 225-922-2880, provided information.

Witness cards submitted by individuals who did not speak are as follows: One in support. Witness cards are included in the committee records.

Representative Schroder offered a motion to report House Bill No. 591 favorably. Without objection, House Bill No. 591 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Burns, Barras, Berthelot, Bouie, Danahay, Johnson, Miller, Pugh, and Schroder voted yea.

House Bill No. 131 by Representative Berthelot

Representative Berthelot presented House Bill No. 131, which provides that certain recalled elected officials are ineligible to become candidates in certain elections.

Mr. Gary Lacombe, P. O. Box 725, Gonzales, LA 70737, spoke in opposition to the bill.

Witness cards submitted by individuals who did not speak are as follows: Two in opposition. Witness cards are included in the committee records.

Representative Berthelot offered a motion to report House Bill No. 131 favorably. Without objection, House Bill No. 131 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Burns, Barras, Berthelot, Bouie, Danahay, Gaines, Miller, and Pugh voted yea.

House Bill No. 241 by Representative Barras

Representative Barras presented House Bill No. 241, which provides relative to the distribution and sale of certain public documents.

Mr. Kyle Ardoin, secretary of state's office, 8585 Archives Ave., Baton Rouge, LA, 225-922-2880, provided information on the bill.

Mr. Jacques Berry, lieutenant governor's office, 1051 N. 3rd St., Baton Rouge, LA 70804, provided information on the bill.

Witness cards submitted by individuals who did not speak are as follows: Three for information. Witness cards are included in the committee records.

Representative Pugh offered a motion to report House Bill No. 241 favorably. Without objection, House Bill No. 241 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Burns, Barras, Berthelot, Bouie, Danahay, Gaines, Miller, and Pugh voted yea.

House Concurrent Resolution No. 24 by Representative Abramson

House Concurrent Resolution No. 24 provides for an in-depth study of the need for a plan for the conduct of a constitutional convention, creates a committee for such purpose, and expresses legislative intent to call a convention based upon the results of such study.

There was no discussion on the measure.

Representative Burns offered a motion to voluntarily defer action on House Concurrent Resolution No. 24. Without objection, action on House Concurrent Resolution No. 24 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Burns, Barras, Berthelot, Bouie, Danahay, Gaines, Miller, and Pugh voted yea.

House Concurrent Resolution No. 23 by Representative Abramson

House Concurrent Resolution No. 23 applies to congress to call a constitutional convention to propose amendments to address term limits for federal officials and members of congress, election reform, ethics for public servants, financial discipline, states' countermand authority, and other appropriate matters to modernize the constitution and enhance the freedoms, opportunities, and prosperity of the people.

Mr. Sidney Pulitzer, 14 Audubon Place, New Orleans, LA, 504-401-1701, presented the resolution on behalf of the author.

Ms. Sandra McDade, LPC, 3112 Pines Road, Shreveport, LA, spoke in opposition to the resolution.

Mr. Jan Moller, Louisiana Budget Project (no address provided), 225-819-7715, spoke in opposition to the resolution.

Witness cards submitted by individuals who did not speak are as follows: Two in opposition, one for information. Witness cards are included in the committee records.

Representative Schroder offered a motion to report House Concurrent Resolution No. 23 favorably, to which Representative Gaines objected. A roll call vote was taken and by a vote of 2 yeas and 6 nays, the motion failed to pass. Representatives Burns and Schroder voted yea. Representatives Berthelot, Bouie, Gaines, Johnson, Miller, and Pugh voted nay.

Representative Gaines offered a motion to involuntarily defer action on House Concurrent Resolution No. 23. Without objection, action on House Concurrent Resolution No. 23 was involuntarily deferred by a vote of 8 yeas and 0 nays. Representatives Burns, Berthelot, Bouie, Gaines, Johnson, Miller, Pugh, and Schroder voted yea.

House Concurrent Resolution No. 2 by Representative Garofalo

Representative Garofalo presented House Concurrent Resolution No. 2, which applies to congress under U.S. Const. Art. V to call a convention of the states to propose U.S. constitutional amendments to impose fiscal restraints on the federal government, limit federal government power, and provide for term limits for federal officials and members of congress.

Mr. Michael Farris, COS Action, 1 Patrick Henry Circle, Purcellville, VA 20132, 540-338-8712, spoke in favor of the resolution.

Mr. Jan Moller, Louisiana Budget Project (no address provided), 225-819-7715, testified in opposition to the resolution.

Ms. Sandra McDade, LPC, 3112 Pines Road, Shreveport, LA, testified in opposition to the resolution.

Witness cards submitted by individuals who did not speak are as follows: Ten in support, one in opposition. Witness cards are included in the committee records.

Representative Schroder offered a motion to report House Concurrent Resolution No. 2 favorably, to which Representative Bouie objected. A roll call vote was taken and House Concurrent Resolution No. 2 was reported favorably by a vote of 6 yeas and 3 nays. Representatives Burns, Berthelot, Johnson, Miller, Pugh, and Schroder voted yea. Representatives Bouie, Danahay, and Gaines voted nay.

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 12:35 p.m.

Respectfully submitted,

Tim Burns, Chairman
House Committee on House and Governmental Affairs

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