

## **Committee on House and Governmental Affairs**

Minutes of Meeting  
2015 Regular Session  
May 6, 2015

### **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 Jeff Arnold  
Representative Taylor F. Barras  
Representative John A. Berthelot  
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:**

Representative Joseph Bouie, Jr.

#### **STAFF MEMBERS PRESENT:**

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

#### **ADDITIONAL ATTENDEES PRESENT:**

Linda Robillard, Sergeant at Arms

### **III. DISCUSSION OF LEGISLATION**

#### **House Bill No. 398 by Representative Price**

House Bill No. 398 changes requirements for approval of capital outlay priority changes and project descriptions.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 398. Without objection, action on House Bill No. 398 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 559 by Representative Jay Morris**

House Bill No. 559 requires certain contracting entities to submit information to the legislative auditor prior to contracting with a state agency or receiving state monies.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 559. Without objection, action on House Bill No. 559 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 651 by Representative Gaines**

House Bill No. 651 provides for automatic voter registration through driver's license facilities.

There was no discussion on the bill.

Representative Gaines offered a motion to voluntarily defer action on House Bill No. 651. Without objection, House Bill No. 651 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 650 by Representative Stokes**

House Bill No. 650 changes notification procedures and changes balloting procedures for approval of capital outlay priority changes and project descriptions.

There was no discussion on the bill.

Representative Burns offered a motion to voluntarily defer action on House Bill No. 650. Without objection, action on House Bill No. 650 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 61 by Representative Carmody**

Representative Carmody presented House Bill No. 61, a constitutional amendment which exempts public postsecondary education tuition and fees from requirements for imposing a new or increasing an existing fee and provides relative to the authority to set tuition and fees.

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

Representative Pugh offered a motion to report House Bill No. 61 favorably. Without objection, House Bill No. 61 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 199 by Representative Cromer**

Ms. Caroline Brock, Louisiana Department of Insurance (no address provided), was designated to present Representative Cromer's House Bill No. 199, which enacts the National Association of Insurance Commissioners' Corporate Governance Annual Disclosure Act.

Representative Burns offered a technical amendment and made a motion to adopt the same. Without objection, the technical amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

Representative Danahay offered a motion to report House Bill No. 199 with amendments. Without objection, House Bill No. 199 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 255 by Representative Pierre**

Ms. Caroline Brock, Louisiana Department of Insurance (no address provided), was designated to present Representative Pierre's House Bill No. 255, which provides relative to the authority of the commissioner of insurance to supervise insurance holding company systems.

Representative Danahay offered a technical amendment 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 Arnold, Barras, Berthelot, Danahay, Johnson, Miller, Pugh, and Burns voted yea.

Representative Danahay offered a motion to report House Bill No. 255 with amendments. Without objection, House Bill No. 255 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Johnson, Miller, Pugh, and Burns voted yea.

### **House Bill No. 647 by Representative Ivey**

Representative Ivey presented House Bill No. 647, which provides relative to the powers of the Legislative Audit Advisory Council.

Mr. Darryl Purpera, legislative auditor (no address provided) provided information on the bill.

Representative Burns offered amendments requiring the auditee to "resolve" the findings contained in an audit report instead of requiring him to "comply with recommendations or correct findings" in the audit report and to add a special effective date.

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 Arnold, Barras, Berthelot, Danahay, Johnson, Miller, and Burns voted yea.

Representative Danahay offered amendments to make the holding of a hearing and directing the treasurer to withhold funds under certain circumstances permissive instead of mandatory.

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 Arnold, Barras, Berthelot, Danahay, Johnson, Miller, and Burns voted yea.

Representative Arnold offered amendments to require a two-thirds vote of the entire council in order to direct the treasurer to withhold funds.

Representative Arnold offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

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

Representative Danahay offered a motion to report House Bill No. 647 with amendments. Without objection, House Bill No. 647 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 211 by Representative Jay Morris**

Representative Jay Morris presented House Bill No. 211, which provides relative to the membership of the Joint Legislative Committee on Capital Outlay.

Honorable John Kennedy, state treasurer (no address provided) provided information on the bill.

Representative Berthelot offered a motion to report House Bill No. 211 favorably. Without objection, House Bill No. 211 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, and Pugh voted yea.

#### **House Bill No. 686 by Representative Hunter**

Representative Hunter presented House Bill No. 686, which provides with respect to voter eligibility.

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 Gaines offered a motion to report House Bill No. 686 favorably, to which Representative Johnson objected. A roll call vote was taken, and by a vote of 1 yeas and 7 nays, the motion failed to pass. Representative Gaines voted yea. Representatives Arnold, Berthelot, Danahay, Johnson, Miller, Pugh, and Burns voted nay.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 686. Without objection, action on House Bill No. 686 was involuntarily deferred by a vote of 8 yeas and 0 nays. Representatives Arnold, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

#### **House Bill No. 169 by Representative Henry**

Representative Henry presented House Bill No. 169, which requires state entities, officials, and employees to provide information to the legislature.

Representative Burns offered amendments on behalf of the author that would limit the broad provision of information requirement to the executive branch and provide a requirement that the judicial branch provide the legislature with specific types of information; specify that privileged and confidential information shall be protected from unauthorized use and disclosure and that the

disclosure of such information to the legislature shall not be deemed a waiver of confidentiality; add all types of legislative committees to the definition of "legislature" and limit the definition to specified legislative entities, officials, and employees "acting to fulfill public functions and duties"; and add exceptions for specifically enumerated types of private information.

Representative Burns offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns voted yea.

Honorable John Kennedy, state treasurer, P. O. Box 44154, Baton Rouge, LA 70804, testified in support of the bill.

Mr. Kurt Wall and Ms. Emalie Boyce, attorney general's office, 1885 N. 3<sup>rd</sup> St., Baton Rouge, LA 70802, 225-326-6050, provided information to the committee.

Mr. Scott Johnson, Division of Administration, (no address provided) 225-342-7082, provided information to the committee.

Ms. Ann Wise, Division of Administrative Law, P. O. Box 44033, Baton Rouge, LA 70810, 225-342-1800, provided information to the committee.

Secretary David LaCerte, Louisiana Department of Veterans Affairs, P. O. Box 94095, Baton Rouge, LA 70804, provided information to the committee.

Mr. Larry Murray, Louisiana State Bar Association, P. O. Box 44153, Baton Rouge, LA 70804, 225-381-0127, stated that the amendments had changed his previous position of opposition to one of support.

Mr. Thomas Enright, Governor's Office (no address provided), spoke in opposition to the bill.

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 Danahay offered a motion to report House Bill No. 169 with amendments. Without objection, House Bill No. 169 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Arnold, Barras, Berthelot, Danahay, Gaines, Johnson, Miller, Pugh, and Burns 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 11:24 a.m.

Respectfully submitted,

Tim Burns, Chairman  
Committee on House and Governmental Affairs

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