

House Committee on Municipal, Parochial and Cultural Affairs

Minutes of Meeting
2015 Regular Session
May 14, 2015

I. CALL TO ORDER

Representative Austin J. Badon, Jr., chairman of the House Committee on Municipal, Parochial and Cultural Affairs, called the meeting to order at 11:41 a.m. in Room 6, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Austin J. Badon, Jr., Chairman
Representative Robert E. Billiot, Vice Chair
Representative Taylor F. Barras
Representative Regina Ashford Barrow
Representative John A. Berthelot
Representative Wesley T. Bishop
Representative Joseph Bouie Jr.
Representative Terry R. Brown
Representative Roy A. Burrell
Representative Michael E. Danahay
Representative Kenneth E. Havard
Representative Dalton W. Honoré
Representative Barbara M. Norton
Representative Stephen J. Ortego
Representative Stephen E. Pugh
Representative Thomas P. Willmott
Representative Ebony Woodruff

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Tina Righteous, Attorney
Valarie Banks, Secretary
Theron Levi, Clerk

David Gauthier, Central Staff Attorney

ADDITIONAL ATTENDEES PRESENT:

Travis Brown, Sergeant at Arms
Barbara Pate, Sergeant at Arms
Faye Talbot, Sergeant at Arms

III. DISCUSSION OF LEGISLATION

House Bill No. 577 by Representative Jackson

Representative Jackson presented House Bill No. 577, which provides relative to extension or contraction of corporate limits of municipalities by means of petition and ordinance.

Representative Badon offered amendments to delete a proposed change of standard used in judicial suits to contest proposed annexations from whether the extension is reasonable to whether a rational basis exists for such an extension; add provisions for an exception to proposed law; and authorize a municipality that does not own the land subject to a municipal annexation to challenge or otherwise seek to invalidate an ordinance to enlarge the boundaries if the area to be annexed meets certain conditions. Representative Badon offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Badon, Billiot, Barras, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Honore, Norton, Ortego, Pugh, and Willmott voted yea.

Mr. Michael Hebert, Lafayette Consolidated Government, 201 Rue Beauregard, Lafayette, LA 70508, (337) 233-1587, spoke in support of House Bill No. 577.

Five persons completed witness cards in support of House Bill No. 577 but declined to speak.

Representative Norton offered a motion to report House Bill No. 577 with amendments. Without objection, House Bill No. 577 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Badon, Billiot, Barras, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, and Willmott voted yea.

House Bill No. 693 by Representative Leger

Representative Leger presented House Bill No. 693, which creates the New Orleans Exhibition Hall Authority Economic Growth and Development District.

Representative Brown offered amendments that remove the district's authority to levy taxes and use tax increment financing; remove the district's authority to create subdistricts; and remove authority for the district to acquire property by means other than gift, grant, or purchase. Representative

Brown offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Three persons completed witness cards in support of House Bill No. 693 but declined to speak.

Representative Wesley Bishop offered a motion to report House Bill No. 693 with amendments. Without objection, House Bill No. 693 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 528 by Representative Leger

Representative Leger presented House Bill No. 528, which authorizes the city of New Orleans to create a municipal revenue amnesty program.

Representative Barrow offered amendments to remove all authority for the program to include delinquent taxes. Representative Barrow offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Ms. Suchitra J. Satpathi, representing the City of New Orleans, 1300 Ferdinand, New Orleans, LA 70113, (504) 658-4928 spoke in support of House Bill No. 528.

Two persons submitted witness cards in support of House Bill No. 528 but declined to speak.

Representative Barrow offered a motion to report House Bill No. 528 with amendments. Without objection, House Bill No. 528 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 356 by Representative Pylant

Representative Pylant presented House Bill No. 356, which provides relative to wage and hours regulations for fire departments.

Representative Barrow offered amendments to add persons employed for fire record clerk duties and services to the definition of "fireman". Representative Barrow offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and

0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Two persons submitted witness cards in favor of House Bill No. 356 but declined to speak.

Representative Norton offered a motion to report House Bill No. 356 with amendments. Without objection, House Bill No. 356 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 717 by Representative Smith

Representative Smith presented House Bill No. 717, which prohibits parishes and municipalities from enacting certain ordinances with respect to emergency services provided to victims of domestic abuse and other crimes.

Mr. Dylan Waguespack, representing Louisiana Progress Action, 650 North Sixth Street, Baton Rouge, LA 70802, (504) 450-7496, spoke in support of House Bill No. 717.

Representative Barrow offered a motion to report House Bill No. 717 favorably. Without objection, House Bill No. 717 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Willmott, and Woodruff voted yea.

House Bill No. 808 by Representative Barras

Representative Barras presented House Bill No. 808, which authorizes the Iberia Economic Development Authority to grant franchises and rights-of-way.

Representative Barras offered amendments to remove the authority's power granted pursuant to present law to hold and use any franchise; remove the authority's power granted pursuant to proposed law to grant franchises and to levy and collect a franchise fee; add provisions that grant the authority the power to select utility service providers for facilities constructed or acquired by the authority; remove authority for the district to acquire property by means other than donation, grant, purchase, or lease; and remove authority for the district to receive property or assistance from any public or private entity by means other than grant or donation. Representative Barras offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Representative Brown offered a motion to report House Bill No. 808 with amendments. Without objection, House Bill No. 808 was reported with amendments by a vote of 16 yeas and 0 nays.

Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 623 by Representative Reynolds

Representative Reynolds presented House Bill No. 623, which creates a special taxing district in Webster Parish to fund the coroner's office.

Representative Pugh offered amendments to require that the district's governing authority receive voter approval prior to the levy of ad valorem taxes and to clarify that the district's taxes will be collected at the same time and in the same manner as other ad valorem taxes in Webster Parish and that the revenue generated by the tax will not be subject to deductions for retirement systems. Representative Pugh offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Ms. Glenda Lewis, assistant coroner, 6880 Dorcheat Road, Minden, LA 71055, (318) 560-8831, spoke in support of House Bill No. 623.

Representative Brown offered a motion to report House Bill No. 623 with amendments. Without objection, House Bill No. 623 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 715 by Representative Hall

Representative Hall presented House Bill No. 715, which provides relative to the Pineville Downtown Development District.

Representative Badon offered amendments to remove authority for the district to expropriate property pursuant to present law when acting as a redevelopment agency and remove authority for the district to acquire property by means other than gift, grant, purchase, or lease when acting as a development district. Representative Badon offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Pugh, Willmott, and Woodruff voted yea.

Two persons submitted witness cards in support of House Bill No. 715 but declined to speak.

Representative Barrow offered a motion to report House Bill No. 715 with amendments. Without objection, House Bill No. 715 was reported with amendments by a vote of 15 yeas and 0 nays.

Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 364 by Representative Hall

Representative Hall presented House Bill No. 364, which provides relative to the governing board of the Alexandria Central Economic Development District.

Representative Badon offered amendments to remove authority for the district to expropriate property pursuant to present law when acting as a redevelopment agency and remove authority for the district to acquire property by means other than gift, grant, purchase, or lease when acting as a development district. Representative Badon offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Two persons submitted witness cards in support of House Bill No. 364 but declined to speak.

Mr. Tobias Wilheit, representing Downtown Alexandria Revitalization, 1235 Barrister (no city given), spoke in opposition to House Bill No. 364 and presented information in a document labeled Exhibit A.

Twenty-eight persons submitted witness cards in opposition to House Bill No. 364 but declined to speak.

Representative Wesley Bishop offered a motion to report House Bill No. 364 with amendments. Without objection, House Bill No. 364 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Burrell, Danahay, Havard, Honore, Norton, Ortego, Pugh, and Willmott voted yea.

House Bill No. 447 by Representative Montoucet

Representative Montoucet presented House Bill No. 447, which provides relative to the start of the working test period for entry level firefighters in certain municipalities.

Three persons submitted witness cards in support of House Bill No. 447 but declined to speak.

Representative Havard offered a motion to report House Bill No. 447 favorably. Without objection, House Bill No. 447 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Brown, Burrell, Danahay, Havard, and Ortego voted yea.

House Bill No. 176 by Representative Shadoin

Representative Shadoin presented House Bill No. 176, which provides relative to investments by political subdivisions.

Representative Wesley Bishop offered amendments to delete banks as institutions that political subdivisions may retain as a means of satisfying present law requirements; and add a requirement that any trust company retained owe a fiduciary duty to act solely in the best interest of the political subdivision. Representative Wesley Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Burrell, Danahay, Havard, Honore, Ortego, and Pugh voted yea.

Mr. Lucius McGehee, Jr., representing Argent Financial Group, 500 East Reynolds Drive, Ruston, LA 71270, (318) 255-5800, spoke in support of House Bill No. 176.

One person submitted a witness card in favor of House Bill No. 176 but declined to speak.

Representative Billiot offered a motion to report House Bill No. 176 with amendments. Without objection, House Bill No. 176 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Burrell, Danahay, Havard, Honore, Norton, Ortego, Pugh, and Willmott voted yea.

House Bill No. 202 by Representative Ortego

Representative Ortego presented House Bill No. 202, which provides relative to the authority of the Lafayette Parish Bayou Vermilion District to perform public works on streams and bayous in other parishes. Representative Ortego presented pictures in a document labeled Exhibit B.

Representative Ortego offered amendments in the form of a substitute bill. Representative Ortego offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Badon, Billiot, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Norton, Ortego, Pugh, and Willmott voted yea.

Representative Bouie offered a motion to report House Bill No. 202 by substitute. Without objection, House Bill No. 202 was reported by substitute by a vote of 12 yeas and 0 nays. Representatives Badon, Billiot, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Norton, Ortego, Pugh, and Willmott voted yea.

House Bill No. 130 by Representative Cromer

On behalf of Representative Cromer, Representative Pearson presented House Bill No. 130, which provides relative to the qualification of a newspaper to publish official proceedings, legal notices, or advertisements in St. Tammany Parish.

Mr. Kevin Chiri, representing *The Slidell Independent*, P.O. Box 3130, Slidell, LA 70459, (985) 774-1352, spoke in support of House Bill No. 130.

Seven persons submitted witness cards in opposition to House Bill No. 130 but declined to speak.

Representative Pugh offered a motion to involuntarily defer action on House Bill No. 130. Without objection, action on House Bill No. 130 was involuntarily deferred by a vote of 13 yeas and 0 nays. Representatives Badon, Billiot, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 690 by Representative Lorusso

Representative Lorusso presented House Bill No. 690, which provides with respect to the Housing Authority of New Orleans.

Representative Badon offered amendments to add requirement that a landlord commissioner recuse himself from voting in certain circumstances; remove provisions that require property owners who provide rental housing in the city of New Orleans through the Housing Choice Voucher Program pursuant to a signed contract with the HANO to appoint the two landlord commissioners and instead require the Landlords Advisory Council to appoint the commissioners; remove provisions that require that the two landlord commissioners be appointed at the same time, and additionally remove provisions that require a majority vote of property owners present and voting to approve the appointments and instead require a majority vote of the members of the council present and voting; and remove proposed provisions that require HANO to adopt procedures to provide for the method of reimbursement of funds owed to HANO. Representative Badon offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Mr. Donald Vallée, representing Landlords Association, 1637 Warengo Street, New Orleans, LA, (504) 491-5255, spoke in support of House Bill No. 690.

Seven persons submitted witness cards in support of House Bill No. 690 but declined to speak.

Mr. Rodney Braxton, representing the city of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 381-0166, spoke in opposition to House Bill No. 690.

Ms. Suchitra Satpathi, representing the city of New Orleans, 1300 Perdido, New Orleans, LA 70113, (504) 658-4900, spoke in opposition to House Bill No. 690.

One person submitted a witness card in opposition to House Bill No. 690 but declined to speak.

Representative Danahay offered a motion to report House Bill No. 690 with amendments, and recommit to the Committee on House and Governmental Affairs. Without objection, House Bill No. 690 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 823 by Representative Barrow

Representative Barrow presented House Bill No. 823, which provides relative to the Greenwell Springs-Airline Economic Development District in East Baton Rouge Parish.

Representative Barrow offered amendments to change the proposed boundaries of the district. Representative Barrow offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

Representative Barrow offered a motion to report House Bill No. 823 with amendments. Without objection, House Bill No. 823 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Badon, Billiot, Barras, Barrow, Berthelot, Wesley Bishop, Bouie, Brown, Havard, Honore, Norton, Ortego, Pugh, Willmott, and Woodruff voted yea.

House Bill No. 744 by Representative Arnold

Representative Arnold presented House Bill No. 744, which provides for the incorporation of the fifteenth ward of the parish of Orleans as a municipality within the parish of Orleans.

Mr. Val Exnicios, president of Algiers Neighborhood Association, 1515 Poydras Street, Suite 1400, New Orleans, LA, (504) 410-9611, spoke in support of House Bill No. 744.

Mr. Rodney Braxton, representing the city of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 381-0166, spoke in opposition to House Bill No. 744.

Ms. Suchitra J. Satpathi, representing the city of New Orleans, 1300 Perdido, New Orleans, LA 70113, (504) 658-4900, spoke in opposition to House Bill No. 744.

Representative Berthelot offered a motion to report House Bill No. 744 favorably, to which Representative Wesley Bishop objected. A roll call vote was taken and House Bill No. 744 was reported favorably by a vote of 8 yeas, 4 nays, and 1 abstention. Representatives Billiot, Barras, Berthelot, Brown, Havard, Pugh, Willmott, and Woodruff voted yea. Representatives Wesley Bishop, Bouie, Honore, and Ortego voted nay. Representative Badon abstained.

House Bill No. 235 by Representative Arnold

Representative Arnold presented House Bill No. 235, a constitutional amendment which authorizes the legislature to provide, by local law, for the incorporation of any area located within a single parish.

One person submitted a witness card in support of House Bill No. 235 but declined to speak.

Mr. Rodney Braxton, representing the city of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 387-0166, spoke in opposition to House Bill No. 235.

Ms. Susan Nelson, representing the Louisiana Federation of Teachers, 13609 Landmark Drive, Baton Rouge, LA 70810, (225) 229-2498, spoke in opposition to House Bill No. 235.

One person submitted a witness card in opposition to House Bill No. 235 but declined to speak.

Representative Havard offered a motion to report House Bill No. 235 favorably. Without objection, House Bill No. 235 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Badon, Billiot, Barras, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Ortego, Pugh, Willmott, and Woodruff voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Havard offered a motion to adjourn. Without objection, the motion to adjourn passed by a vote of 14 yeas and 0 nays. Representatives Badon, Billiot, Barras, Berthelot, Wesley Bishop, Bouie, Brown, Danahay, Havard, Honore, Ortego, Pugh, Willmott, and Woodruff voted yea.

The meeting was adjourned at 3:43 p.m.

Respectfully submitted,



John A. "Johnny" Berthelot, chairman
House Committee on Municipal, Parochial and Cultural Affairs

Date adopted: March 2, 2016

The committee has acknowledged on March 2, 2016, that these minutes were prepared in accordance with the rules of the House of Representatives.