

House Committee on Appropriations

Minutes of Meeting
2016 Regular Session
March 21, 2016

I. CALL TO ORDER

Representative Cameron Henry, Chairman of the House Committee on Appropriations, called the meeting to order at 1:09 p.m. in Room 5, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Cameron Henry, Chairman
Representative Mark Abraham
Representative Beryl A. Amedée
Representative Tony Bacala
Representative Lawrence A. "Larry" Bagley
Representative John A. Berthelot
Representative Robert E. Billiot
Representative Gary M. Carter, Jr.
Representative Charles R. Chaney
Representative Rick Edmonds
Representative Franklin J. Foil, Vice Chairman
Representative Lance Harris
Representative Bob Hensgens
Representative Valarie Hodges
Representative Walt Leger, III
Representative Jack G. McFarland
Representative Blake Miguez
Representative Dustin Miller
Representative Steve E. Pylant
Representative Jerome Richard
Representative John M. Schroder, Sr.
Representative Patricia Haynes Smith
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative James K. Armes, III

Representative Scott M. Simon

STAFF MEMBERS PRESENT:

Ms. Penny B. Bouquet, Administrative Secretary
Mr. Peter G. E. Conroy, Legislative Analyst
Ms. Nancy Keaton, Legislative Analyst

ADDITIONAL ATTENDEES PRESENT:

None

III. DISCUSSION OF LEGISLATION

House Bill No. 74 by Representative Richard

Representative Richard presented House Bill No. 74, which provides for a reduction of all state professional, personal, and consulting service contracts.

Representative Richard offered an amendment to change "*fifteen*" to "*ten*", and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 22 yeas and 0 nays. Representatives Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Richard offered a motion to voluntarily defer action on House Bill No. 74. Without objection, action on House Bill No. 74 was voluntarily deferred by a vote of 22 yeas and 0 nays. Representatives Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 74 is available upon request.

House Bill No. 454 by Representative Richard

Representative Richard presented House Bill No. 454, which provides for reporting, review, and approval by the Joint Legislative Committee on the Budget of certain professional, personal, and consulting service contracts.

Mr. Jay Dardenne, Commissioner of Administration, 1201 North Third Street, Suite 7-210, Baton Rouge, LA 70802, (225) 342-7000, addressed Representative Richard's comments concerning the reduction of state agency contracts.

Commissioner Dardenne discussed options to terminate a contract, emergency contracts, and contract term periods with Representatives Billiot and Smith.

There was no further discussion on the bill.

Representative Richard offered a motion to voluntarily defer action on House Bill No. 454. Without objection, action on House Bill No. 454 was voluntarily deferred by a vote of 22 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 454 is available upon request.

House Bill No. 163 by Representative Havard

Representative Havard presented House Bill No. 163, which creates the Privatization Review Act.

Representative Havard discussed, with Representative Smith, how certain state agencies would be affected by the bill when utilizing third parties to provide certain services.

There was no further discussion on the bill.

Representative Richard offered a motion to report House Bill No. 163 favorably. Without objection, House Bill No. 163 was reported favorably by a vote of 21 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Carter, Chaney, Edmonds, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 163 is available upon request.

House Bill No. 216 by Representative Hensgens

Representative Hensgens presented House Bill No. 216, which limits the amount required to be spent per project under the Percent for Art Program.

Representative Hensgens offered an amendment to indicate that, after August 1, 2016, no project could exceed the \$100,000 maximum and that no new contract, entered into after October 1, 2016,

could exceed \$100,000. He also offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 21 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Carter, Chaney, Edmonds, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

Representative Hensgens discussed, with Representative Abraham and Representative Leger, certain language in the bill regarding statutorily dedicated funds for artwork.

Commissioner Dardenne and Mr. Phil Boggan, Assistant Secretary for the Office of Cultural Development, no address provided, (225) 342-8200, addressed the committee regarding the importance of the Percent for Art Program to Louisiana artists.

Representative Smith requested a breakdown of Louisiana artists compared to out of state artists that have received funds through the program.

Representative Amedée suggested that celebrity artwork for certain projects be donated by the artist instead of commissioned by the agency.

There was no further discussion on the bill.

Representative Hensgens offered a motion to report House Bill No. 216 with amendments. Without objection, House Bill No. 216 was reported with amendments by a vote of 21 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Carter, Chaney, Edmonds, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 216 is available upon request.

House Bill No. 666 by Representative Schroder

Representative Schroder presented House Bill No. 666, which requires the appropriation of certain tax expenditures.

There was no further discussion on the bill.

Representative Schroder offered a motion to voluntarily defer action on House Bill No. 666. Without objection, action on House Bill No. 666 was voluntarily deferred by a vote of 21 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Carter, Chaney, Edmonds, Foil, Harris, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 666 is available upon request.

House Bill No. 743 by Representative Schroder

Representative Schroder presented House Bill No. 743, which provides for a subcommittee of the Joint Legislative Committee on the Budget (JLCB) to conduct sunset reviews of state departments.

Representative Schroder discussed, with Representative Leger, the authority and functions of the subcommittees proposed in the bill.

Representative Smith offered an amendment to require JLCB to provide for a review subcommittee with membership that is bipartisan and diverse. She also offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 21 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Carter, Chaney, Edmonds, Foil, Harris, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Schroder offered a motion to report House Bill No. 743 with amendments. Without objection, House Bill No. 743 was reported with amendments by a vote of 21 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Carter, Chaney, Edmonds, Foil, Harris, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

House Bill No. 584 by Representative Schroder

Representative Schroder presented House Bill No. 584, a constitutional amendment which provides for additional authority for the governor and legislature to reduce budgets if there is a projected deficit.

Mr. Barry Dussé, Director of the Office of Planning and Budget, 1201 North Third Street, Suite 7-150, Baton Rouge, LA 70802, (225) 342-7005, discussed, with Representative Zeringue and Representative Smith, how constitutional and statutorily dedicated funds are swept and how that relates to the bill.

Mr. Dussé explained the process of balancing the budget when a deficit is declared to the committee. He also discussed, with Representative Billiot and Representative Hensgens, how reducing a small percentage of a state agency's budget each year could potentially affect certain programs within that agency.

Representative Schroder and Representative Bacala discussed the possibility of spreading the budget reductions over a larger spectrum of state agencies.

There was no further discussion on the bill.

Representative Schroder offered a motion to report House Bill No. 584 favorably, to which Representative Leger objected. House Bill No. 584 was reported favorably by a vote of 15 yeas and 7 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Edmonds, Foil, Harris, Hensgens, Hodges, McFarland, Miguez, Pylant, and Richard voted yea. Representatives Billiot, Carter, Chaney, Leger, Miller, Smith, and Zeringue voted nay.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 584 is available upon request.

House Bill No. 657 by Representative Schroder

Representative Schroder presented House Bill No. 657, which provides for additional authority for the governor and legislature to reduce appropriations if there is a projected deficit.

There was no further discussion on the bill.

Representative Schroder offered a motion to report House Bill No. 657 favorably, to which Representative Smith objected. House Bill No. 657 was reported favorably by a vote of 16 yeas and 7 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Edmonds, Foil, Harris, Hensgens, Hodges, McFarland, Miguez, Pylant, Richard, and Schroder voted yea. Representatives Billiot, Carter, Chaney, Leger, Miller, Smith, and Zeringue voted nay.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 657 is available upon request.

House Bill No. 721 by Representative Schroder

Representative Schroder presented House Bill No. 721, which provides relative to the allocation of expenditures of the state operating budget.

There was no further discussion on the bill.

Representative Schroder offered a motion to report House Bill No. 721 favorably. Without objection, House Bill No. 721 was reported favorably by a vote of 21 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 721 is available upon request.

House Bill No. 812 by Representative Schroder

Representative Schroder presented House Bill No. 812, which provides relative to maximizing the use of available office space in state buildings.

Representative Schroder offered a set of amendments to delete the requirement that the office space be classified based on certain factors; to expand present law to include buildings or parts of buildings leased by the state; to change monthly reporting and updating requirements to semi-annual reporting and updating; to require that each occupier space greater than 10,000 sq. ft. submit a report to the Division of Administration of office space in state owned or leased buildings and the identity of any unoccupied or underutilized office space; to change response time for transitional moving plans from "30 days" to "90 days"; and to require that notices to JLCB of agencies that do not submit transitional moving plans or that do not move according to the transitional moving plan be submitted for consideration at the committee's next meeting.

Mr. Mark Moses, Assistant Commissioner of Facility Planning and Control, 1201 North Third Street, Suite 7-160, Baton Rouge, LA 70802, (225) 342-9654, discussed the set of amendments with committee members.

Representative Schroder offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 19 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Hensgens, Hodges, McFarland, Miguez, Miller, Pylant, Schroder, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Schroder offered a motion to report House Bill No. 812 with amendments. Without objection, House Bill No. 812 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Hensgens, Hodges, McFarland, Miller, Pylant, Schroder, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 812 is available upon request.

IV. OTHER BUSINESS

Governor's Executive Budget

Commissioner Dardenne presented the Governor's Executive Budget for FY16-17.

Mr. Dussé gave an overview and discussed the Preamble in House Bill No. 1 of the 2016 Regular Session.

Mr. Chris Keaton, Deputy Director, and Ms. Nancy Keaton, Legislative Analyst, House Fiscal Division, 900 North Third Street, Baton Rouge, LA 70804, gave an overview of the subcommittee process and meeting schedule.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Berthelot offered a motion to adjourn, to which there was no objection. The motion passed by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Miller, Pylant, Richard, Schroder, Smith, and Zeringue voted yea.

The meeting was adjourned at 3:28 p.m.

Respectfully submitted,

Chairman Cameron Henry
House Committee on Appropriations