

## House Committee on Appropriations

Minutes of Meeting  
2016 Regular Session  
May 16, 2016

### I. CALL TO ORDER

Representative Cameron Henry, Chairman of the House Committee on Appropriations, called the meeting to order at 1:31 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 Charles R. Chaney  
Representative Franklin J. Foil  
Representative Lance Harris  
Representative Walt Leger, III  
Representative Jack G. McFarland  
Representative Dustin Miller  
Representative Steve E. Pylant  
Representative John M. Schroder, Sr.  
Representative Patricia Haynes Smith  
Representative Jerome "Zee" Zeringue

#### MEMBERS ABSENT:

Representative James K. Armes, III  
Representative Gary M. Carter, Jr.  
Representative Rick Edmonds  
Representative Bob Hensgens  
Representative Valarie Hodges  
Representative Blake Miguez  
Representative Jerome Richard

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. 1099 by Representative Thibaut**

Representative Thibaut presented House Bill No. 1099, which provided relative to the assessment of a license fee imposed by the Department of Agriculture and Forestry for the production of marijuana for therapeutic use.

Dr. Mike Strain, Commissioner of the Department of Agriculture and Forestry, 5825 Florida Boulevard, Baton Rouge, LA 70806, (225) 342-7270, provided testimony in regards to the department's role in overseeing the production of therapeutic marijuana.

Commissioner Strain discussed waiving the licensing fee for Louisiana State University and Southern University, and the possibility of additional funds related to the production of therapeutic marijuana with Representative Henry.

Commissioner Strain discussed, with Representative Smith, hiring additional Table of Organization (T.O.) positions, and additional funding needed for a laboratory testing contract and an inventory control system.

Mr. Dane Morgan, Assistant Commissioner of Management and Finance for the Department of Agriculture and Forestry, 5825 Florida Boulevard, Baton Rouge, LA 70806, no telephone number provided, discussed the cost of background checks for university employees with Representative Schroder.

Commissioner Strain and Representative Thibaut discussed the cost of a secured facility for producing the finished marijuana product with Representatives Henry and Schroder.

Representative Thibaut and Commissioner Strain discussed the finished marijuana product's profitability with Representative Schroder.

Commissioner Strain also gave Representative Amedée a general timetable for hiring additional T.O. for the project.

Commissioner Strain, Mr. Morgan, and Representative Thibaut discussed the cost of fees to private manufacturers who produce the product and the possible risk of a monopoly with Representatives Abraham and Bagley.

Representative Thibaut and Commissioner Strain discussed the possibility of local farmers being able to grow the product with Representative Bagley.

There was no further discussion on the bill.

Representative Henry offered a motion to report House Bill No. 1099 without amendments. Without objection, House Bill No. 1099 was reported without amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, 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. 1099 is available upon request.

### **House Bill No. 722 by Representative Moreno**

Representative Moreno presented House Bill No. 722, which provided relative to registration of certain online hotel marketplaces with the Department of Revenue.

Representative Leger offered a set of amendments to provide for rules in the allocation of existing resources within the department, and offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, McFarland, Miller, Pylant, Schroder, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Leger offered a motion to report House Bill No. 722 with amendments. Without objection, House Bill No. 722 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, 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. 722 is available upon request.

**House Bill No. 529 by Representative Danahay**

Mr. Kyle Ardoin, First Assistant Secretary of State, 8585 Archives Avenue, Baton Rouge, LA, 70809, (225) 922-2880, presented House Bill No. 529 for Representative Danahay, which provided for the compensation of a deputy parish custodian of voting machines.

There was no further discussion on the bill.

Representative Pylant offered a motion to report House Bill No. 529 favorably. Without objection, House Bill No. 529 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, 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. 529 is available upon request.

**Senate Bill No. 136 by Senator Ward**

Representative Bishop presented Senate Bill No. 136 for Senator Ward, which provided relative to the employment of special attorneys or counsel.

Representative Henry offered a set of amendments to increase the amount of the maximum fund balance of the Department of Justice Legal Support Fund from \$10 million to \$20 million. He also offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, McFarland, Miller, Pylant, Schroder, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Henry offered a motion to report Senate Bill No. 136 with amendments. Without objection, Senate Bill No. 136 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, 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 Senate Bill No. 136 is available upon request.

**House Bill No. 887 by Representative Steve Carter**

Ms. Sarah Broome, THRIVE Founder, 1120 Government Street, Baton Rouge, LA 70802, no telephone number provided, presented House Bill No. 887 for Representative Steve Carter, which created a residential school for certain at-risk students in grades six through twelve.

There was no further discussion on the bill.

Representative Smith offered a motion to report House Bill No. 887 favorably. Without objection, House Bill No. 887 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, 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. 887 is available upon request.

**House Bill No. 950 by Representative Foil**

Representative Foil presented House Bill No. 950, which established a rebate for companies which receive a federal Small Business Innovation Research Grant.

Representative Bacala offered an amendment to prohibit a payment of a rebate before July 1, 2017, and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, McFarland, Miller, Pylant, Schroder, Smith, and Zeringue voted yea.

Mr. Adam Knapp, President and Chief Executive Officer of the Baton Rouge Area Chamber, 564 Laurel Street, Baton Rouge, LA 70801, (225) 381-7137 provided testimony in support of the bill.

Representative Henry offered an amendment to sunset the rebate after June 30, 2020, and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, McFarland, Miller, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Foil offered a motion to report House Bill No. 950 with amendments. Without objection, House Bill No. 950 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Harris, Leger, McFarland, Miller, 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. 950 is available upon request.

### **Senate Bill No. 49 by Senator Long**

Representative Bacala presented Senate Bill No. 49, on behalf of Senator Long, which required approval of the Joint Legislative Committee on the Budget before certain salary increases to unclassified employees in the executive branch are effective in the last ninety days of an administration.

Representative Henry offered an amendment to remove *classified employees* from the bill, and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Leger, McFarland, Miller, Pylant, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Bacala offered a motion to report Senate Bill No. 49 with amendments. Without objection, Senate Bill No. 49 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Leger, McFarland, Miller, Pylant, 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 Senate Bill No. 49 is available upon request.

### **House Bill No. 630 by Representative Bacala**

Representative Bacala presented House Bill No. 630, a constitutional amendment to require a certain portion of the monies in the Transportation Trust Fund to be used on certain projects.

Representative Bacala offered an amendment to ensure the amendment became effective *January 1, 2017*, and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Smith, and Zeringue voted yea.

Representative Bacala discussed the practicalities of the bill with Representatives Abraham, Leger and McFarland. He also discussed the effects of the bill on the Department of Transportation and Development's ability to prioritize projects with Representative Smith.

Dr. Shawn Wilson, Secretary of the Department of Transportation and Development, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, provided testimony regarding the effects

of the bill on the department and the cost of future projects as a result of passing the bill. He also discussed the effects of the bill to rural parishes with Representative Chaney.

Representative Pylant offered an amendment to remove the Louisiana State Police from the bill, and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Foil, Lance Harris, McFarland, Dustin Miller, Pylant, Smith, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Bacala offered a motion to report House Bill No. 630 with amendments, to which Representative Smith objected. The motion failed to pass by a vote of 5 yeas and 10 nays. Representatives Bacala, Bagley, Berthelot, Foil, and Pylant voted yea. Representatives Abraham, Amedée, Billiot, Chaney, Harris, Leger, McFarland, Miller, Smith, and Zeringue voted nay.

Representative Smith offered a motion to involuntarily defer action on House Bill No. 630. Without objection, action on House Bill No. 630 was involuntarily deferred by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Harris, Leger, Miller, Pylant, 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. 630 is available upon request.

#### **House Bill No. 257 by Representative Ivey**

Representative Ivey presented House Bill No. 257, which excepted deposits in excess of expenditure limit from the temporary suspension of deposits into the Budget Stabilization Fund.

Representative Ivey discussed, with Representative Leger, where funds are currently deposited once there is an excess of expenditures.

There was no further discussion on the bill.

Representative Henry offered a motion to report House Bill No. 257 favorably. Without objection, House Bill No. 257 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Foil, Harris, Leger, McFarland, Miller, Pylant, Smith, and Zeringue voted yea.

#### **House Concurrent Resolution No. 3 by Representative Ivey**

Representative Ivey presented House Concurrent Resolution No. 3, which reduced the expenditure limit for Fiscal Year 2016-2017. (See Exhibit A)

Representative Henry offered an amendment to change the amount of the expenditure limit from *\$12.7 billion* to *\$13.2 billion*, and offered a motion to adopt the amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bagley, Berthelot, Billiot, Chaney, Harris, Leger, McFarland, Miller, and Pylant voted yea.

There was no further discussion on the bill.

Representative Leger offered a motion to report House Concurrent Resolution No. 3 with amendments. Without objection, House Concurrent Resolution No. 3 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Harris, Leger, McFarland, Miller, and Pylant voted yea.

### **House Bill No. 298 by Representative Ivey**

Representative Ivey presented House Bill No. 298, to establish the Louisiana fiscal transparency website as a source of information for state expenditures. (See Exhibit B)

Representative Ivey discussed using third-party software developers versus developing the state's own software system with Representative Amedée.

Representative Ivey discussed modifying the LaTrac system and the potential to duplicate services with Representative Zeringue.

Representative Ivey discussed access to the website, possible security issues, and the long-term cost savings from using the website, with Representative Smith.

Representative Stokes and Mr. Thomas Enright, Jr., First Assistant Treasurer, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-0040, provided testimony in support of the bill.

Mr. Alan Boxberger, General Government Section Director for the Legislative Fiscal Office, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-6292, discussed the source of funding for the bill with Representative Henry.

There was no further discussion on the bill.

Representative Pylant offered a motion to report House Bill No. 298 favorably. Without objection, House Bill No. 298 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Chaney, Leger, McFarland, Miller, Pylant, Smith, and Zeringue voted yea.



**House Bill No. 1121 by Representative Leger**

Representative Leger presented House Bill No. 1121, which provided relative to establishing notification and reporting requirements relative to retail sales made in Louisiana by remote retailers.

Representative Leger offered a set of technical amendments, and offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Chaney, Leger, McFarland, Miller, Pylant, Smith, and Zeringue voted yea.

Ms. Kimberly L. Robinson, Secretary of the Department of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-4059, discussed the fiscal impact of the bill.

Representative Leger and Ms. Robinson discussed the reporting requirements for online purchases with Representatives Chaney and Pylant.

Mr. Larry Murray, representing TechNet, P.O. Box 44153, Baton Rouge, LA 70804, (225) 381-0127, spoke in opposition to the bill.

There was no further discussion on the bill.

Representative Henry offered a motion to report House Bill No. 1121 with amendments. Without objection, House Bill No. 1121 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Chaney, Leger, McFarland, Miller, Pylant, 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. 1121 is available upon request.

**IV. OTHER BUSINESS**

There was no other business.

**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 17 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley,

Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, McFarland, Miller, Smith, and Zeringue voted yea.

The meeting was adjourned at 4:14 p.m.

Respectfully submitted,

Chairman Cameron Henry  
House Committee on Appropriations