

House Committee on House and Governmental Affairs

Minutes of Meeting
2016 Regular Session
April 20, 2016

I. CALL TO ORDER

Representative Michael E. Danahay, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:01 a.m. in Room 2, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Gary M. Carter, Jr.
Representative Jimmy Harris
Representative Lance Harris
Representative Dorothy Sue Hill
Representative Barry Ivey
Representative Sam L. Jenkins, Jr.
Representative Gregory A. Miller
Representative John C. "Jay" Morris, III
Representative Stephen E. Pugh, vice chairman
Representative John M. Schroder, Sr.
Representative Robert E. Shadoin
Representative Michael E. Danahay, chairman

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Patricia Lowrey-Dufour, legislative analyst
Mark Mahaffey, attorney
Shawn O'Brien, secretary

ADDITIONAL ATTENDEES PRESENT:

Beverly Hurst, sergeant at arms
Abigail Reynolds, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 202 by Representative Jay Morris

House Bill No. 202 is a constitutional amendment which authorizes the legislature to provide by law for the qualifications and compensation, including reductions in pay, of classified civil servants whose compensation exceeds a certain amount.

Representative Shadoin offered a motion to voluntarily defer action on House Bill No. 202. Without objection, action on House Bill No. 202 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Jay Morris, Pugh, and Shadoin voted yea.

House Bill No. 342 by Representative Jones

House Bill No. 342 is a constitutional amendment which authorizes the legislature to pass local laws providing relative to the St. Mary Parish School Board.

Representative Pugh offered a motion to voluntarily defer action on House Bill No. 342. Without objection, action on House Bill No. 342 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Jay Morris, Pugh, and Shadoin voted yea.

House Bill No. 518 by Representative Broadwater

House Bill No. 518 provides an exemption for certain information concerning the fitness of a person to be certified by the Board of Examiners of Certified Shorthand Reporters.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 518. Without objection, action on House Bill No. 518 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Jay Morris, Pugh, Shadoin voted yea.

House Bill No. 349 by Representative Emerson

Representative Emerson presented House Bill No. 349, which provides with respect to inquiries about criminal background checks in certain public employment situations.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 349. Without objection, action on House Bill No. 349 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Jay Morris, Pugh, and Shadoin voted yea.

House Bill No. 746 by Representative Thibaut

Representative Thibaut presented House Bill No. 746, which provides for licensing and regulation of insurance consultants by the commissioner of insurance. The bill was dual-referred because of public records exceptions therein.

Representative Danahay offered amendments to change the document required to accompany notification of use of a trade name from a letter of registration of the name to a certified copy of the registration. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Jay Morris, Pugh, and Shadoin voted yea.

Jeff Albright, Independent Insurance Agents and Brokers of Louisiana, 18153 E. Petroleum Drive, Baton Rouge, LA 70809, 225-819-8007, spoke in support of House Bill No. 746.

Representative Gregory Miller offered a motion to report House Bill No. 746 with amendments. Without objection, House Bill No. 746 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 266 by Representative Marcelle

Representative Marcelle, Representative Smith, and Representative Emerson presented House Bill No. 266, which prohibits certain questions regarding criminal history during the employment process for certain positions.

Representative Danahay offered amendments to make permissive rather than mandatory the provisions of the proposed law relative to the consideration of the criminal history of a prospective employee in making the final employment decision. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Byron Decateau, Department of State Civil Service, 1201 N. 3rd Street, Baton Rouge, LA, spoke for information only on House Bill No. 266.

Rev. Gerard Robinson, Sr., Missionary Baptist Church, representing faith based communities, (no address provided) spoke in support of House Bill No. 266.

Dr. Lue Russell, The Micah Project, 2001 Simon Bolivar, New Orleans, LA, spoke in support of House Bill No. 266.

Mr. Mark G. Walters Jr., The Micah Project, 2001 Simon Bolivar, New Orleans, LA, spoke in support of House Bill No. 266.

Ms. Sibil Fox Richardson, Coalition for Mercy, 1100 Poydras #2900, New Orleans, LA 70163, spoke in support of House Bill No. 266.

Mr. Donald Chopin, V.O.T.E., 812 N. Dupre St., New Orleans, LA 70119, spoke in support of House Bill No. 266.

Representative Jenkins offered a motion to report House Bill No. 266 with amendments, to which Representative Shadoin objected. The secretary called the roll, and House Bill No. 266 was reported with amendments by a vote of 9 yeas and 1 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, and Pugh voted yea. Representative Shadoin voted nay.

Witness cards submitted by individuals who did not speak are as follows: 31 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 1091 by Representative Ivey

House Bill No. 1091 provides for the conduct of federal elections.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 1091. Without objection, action on House Bill No. 1091 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

House Bill No. 308 by Representative Bacala

Representative Bacala presented House Bill No. 308, which prohibits the granting of increases in pay for state officials and employees during a certain period of time and provides for personal liability for the aggregate amount of such increases for a period of three years.

Representative Danahay offered amendments to provide that the prohibition does not apply until after the submission of a budget status report that indicates a projected deficit exists; to exclude increases to classified employees for promotions or reallocations in a career progression group from the prohibition; to define the term "public official", and to add a request that the State Civil Service Commission establish the same or similar provisions for classified positions having the authority to increase or authorize an increase in salary. 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 Danahay, Jimmy Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Byron Decateau, Department of State Civil Service, 1201 N. 3rd Street, Baton Rouge, LA, spoke for information only on House Bill No. 308.

Representative Shadoin offered a motion to report House Bill No. 308 with amendments. Without objection, House Bill No. 308 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

House Bill No. 369 by Representative Bishop

On behalf of the author, Kyle Ardoin, first assistant secretary of state, 8585 Archives Ave., Baton Rouge, LA 70809, 225-922-2880, presented House Bill No. 369, which requires the submission of redistricting plans in a specified format to the secretary of state.

Representative Danahay offered amendments to delete the requirement that the legislature submit an electronic shapefile of a redistricting plan enacted by law to the secretary of state including plans currently in effect. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Representative Danahay offered a motion to report House Bill No. 369 with amendments. Without objection, House Bill No. 369 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 414 by Representative Bishop

On behalf of the author, Kyle Ardoin, first assistant secretary of state, 8585 Archives Ave., Baton Rouge, LA 70809, 225-922-2880, presented House Bill No. 414, which authorizes the secretary of state to promulgate rules and forms for the registration of individuals who serve as demographers for the development of reapportionment or redistricting plans in Louisiana.

Representative Danahay offered amendments to delete the provision authorizing the secretary of state to promulgate rules and forms for the registration of individuals who serve as demographers for the

development of reapportionment or redistricting plans in Louisiana and instead authorize the secretary of state to provide for the voluntary submission of information by persons who provide redistricting services in Louisiana and for the posting of such information on the website of the secretary of state. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Representative Danahay offered a motion to report House Bill No. 414 with amendments. Without objection, House Bill No. 414 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 518 by Representative Broadwater

Representative Broadwater presented House Bill No. 518, which provides relative to information concerning the fitness of a person to be certified by the Board of Examiners of Certified Shorthand Reporters.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 518. Without objection, action on House Bill No. 518 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representative Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

House Bill No. 575 by Representative Broadwater

Representative Broadwater presented House Bill No. 575, a constitutional amendment which provides relative to civil service status of workers' compensation judges.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 575. Without objection, action on House Bill No. 575 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 10 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 598 by Representative Smith

Representative Smith presented House Bill No. 598, which provides relative to registration and voting by a person convicted of a felony.

Representative Danahay offered amendments to change the effective date of the Act to February 1, 2017. Representative Danahay offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Norris Henderson, VOTE, 3321 Tulane Ave., New Orleans, LA 70119, 504-453-4819, spoke in support of House Bill No. 598.

S. Christie Smith, IV, Louisiana Association of Criminal Defense Lawyers, 3043 Old Forge, Baton Rouge, LA 70808, spoke in support of House Bill No. 598.

Donald Chopin, VOTE, 812 N. Dupre Street, New Orleans, LA 70119, spoke in support of House Bill No. 598.

Kenneth Johnston, VOTE, 4307 Elba, New Orleans, LA, spoke in support of House Bill No. 598.

Representative Jenkins offered a motion to report House Bill No. 598 with amendments. Without objection, House Bill No. 598 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 27 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 1079 by Representative Richard

Representative Richard presented House Bill No. 1079, which provides relative to inclusion of political party affiliation on the notice of candidacy and the ballot.

Kyle Ardoin, first assistant secretary of state, 8585 Archives Ave., Baton Rouge, LA 70809, 225-922-2880 spoke for information only on House Bill No. 1079.

Representative Jenkins offered a motion to involuntarily defer action on House Bill No. 1079. Without objection, action on House Bill No. 1079 was involuntarily deferred by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 951 by Representative Gary Carter

Representative Gary Carter presented House Bill No. 951, which provides for the close of registration records.

Representative Gary Carter offered amendments to change the proposed deadline for the close of registration records for electronic voter registration applications via the secretary of state's website from 10 days prior to an election to 20 days prior to an election; remove the proposed provision for a case in which the close of registration records for electronic voter registration applications falls on a legal holiday; and to change the effective date from January 1, 2017, to February 1, 2017. Representative Gary Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Representative Pugh offered a motion to report House Bill No. 951 with amendments. Without objection, House Bill No. 951 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Gregory Miller, Pugh, and Schroder voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 1 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 33 by Representative Danahay

Representative Danahay presented House Concurrent Resolution No. 33, which urges and requests the secretary of state to provide a mechanism to provide all elections division employees within the Department of State who have received CERA certification with a pay increase relative to such certification.

Representative Danahay offered technical amendments. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Hill, Jenkins, Gregory Miller, Pugh, and Schroder voted yea.

Kyle Ardoin, first assistant secretary of state, 8585 Archives Ave., Baton Rouge, LA 70809, 225-922-2880 spoke for information only House Concurrent Resolution No. 33.

Brian Champagne, St. Charles Parish Registrar of Voters, P. O. Box 315, Hahnville, LA 70057, spoke in support of House Concurrent Resolution No. 33.

Representative Danahay offered a motion to report House Concurrent Resolution No. 33 with amendments. Without objection, House Concurrent Resolution No. 33 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Schroder voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 67 by Representative Mike Johnson

Representative Mike Johnson presented House Concurrent Resolution No. 67, which requests the Department of State Civil Service to review the span of control of supervisors in state government and to report to specified legislative committees no later than August 15, 2016.

Representative Gary Carter offered a motion to report House Concurrent Resolution No. 67 favorably. Without objection, House Concurrent Resolution No. 67 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Schroder voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 68 by Representative Danahay

Representative Danahay presented House Concurrent Resolution No. 68, which directs the secretary of state to establish and maintain a toll-free number to be used by the public to report election issues and problems.

Representative Danahay offered amendments to request the secretary of state to continue to maintain a toll-free number instead of directing the secretary of state to establish it, to request the secretary of state to immediately send to the appropriate registrar a detailed summary of each call, and to request each registrar to prominently post the toll-free number at his office. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Danahay, Gary Carter, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Schroder voted yea.

Representative Danahay offered a motion to report House Concurrent Resolution No. 68 with amendments. Without objection, House Concurrent Resolution No. 68 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Danahay, Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, and Pugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 1 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:57 p.m.

Respectfully submitted,

Chairman Michael E. Danahay
House Committee on House and Governmental Affairs

Date adopted: