

House Committee on House and Governmental Affairs

Minutes of Meeting
2018 Regular Session
April 26, 2018

I. CALL TO ORDER

Representative, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 10:07 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Gary M. Carter, Jr.
Representative Lance Harris
Representative Sam L. Jenkins, Jr.
Representative John C. "Jay" Morris, III
Representative Stephen E. Pugh, vice chairman
Representative Robert E. Shadoin
Representative Michael E. Danahay, chairman

MEMBERS ABSENT:

Representative Jimmy Harris
Representative Dorothy Sue Hill
Representative Barry Ivey
Representative Gregory A. Miller

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Concurrent Resolution No. 27 by Representative Smith

Representative Smith presented House Concurrent Resolution No. 27, which authorizes the creation of the Louisiana Women's Incarceration Task Force.

Representative Jenkins offered a motion to report House Concurrent Resolution No. 27 favorably. Without objection, House Concurrent Resolution No. 27 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

House Resolution No. 3 by Representative Jay Morris

Representative Jay Morris presented House Resolution No. 3, which allows interpreters designated by the Speaker to be admitted to the House floor.

Representative Jay Morris offered a motion to report House Resolution No. 3 favorably. Without objection, House Resolution No. 3 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

Senate Bill No. 484 by Senator Perry

Representative Jay Morris presented Senate Bill No. 484 on behalf of the author. The bill provides relative to the enforcement of a regulation, decision, or order of the Board of Ethics.

Kathleen M. Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, spoke for information only on Senate Bill No. 484.

Representative Jay Morris offered a motion to report Senate Bill No. 484 favorably. Without objection, Senate Bill No. 484 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay 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. 760 by Representative Jay Morris

Representative Jay Morris presented House Bill No. 760, which requires agencies to provide specified information to the legislature upon request.

Representative Jay Morris offered amendments to clarify current law relative to seeking financial records, contracts, and communications; to prevent undue interference with the work of an official or employee; to clarify that tax records are absolutely private and confidential; and to preserve the confidentiality of certain records of the governor under current law.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

James T. Dixon, Jr., Louisiana Public Defender Board, 301 Main St., Suite 700, Baton Rouge, LA 70802, 225-219-9305, spoke for information only on House Bill No. 760.

Chip Coulter, Louisiana Department of Children and Family Services, 627 North 4th St., Baton Rouge, LA 70802, 225-342-5573, spoke for information only on House Bill No. 760.

Representative Jay Morris offered a motion to voluntarily defer action on House Bill No. 760. Without objection, action on House Bill No. 760 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

House Resolution No. 26 by Representative Barras

Representative Danahay presented House Resolution No. 26 on behalf of Speaker Barras. It provides relative to House Legislative Services employees.

Representative Danahay offered technical amendments and offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Representative Danahay offered a motion to report House Resolution No. 26 with amendments. Without objection, House Resolution No. 26 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Senate Concurrent Resolution No. 38 by Senator Peterson

On behalf of the author, Representative Danahay presented Senate Concurrent Resolution No. 38, which creates a legislative task force to study sexual harassment issues regarding legislators, lobbyists, and other persons interacting with the legislature.

Representative Danahay offered a motion to report Senate Concurrent Resolution No. 38 favorably. Without objection, Senate Concurrent Resolution No. 38 was reported favorably by a vote of 6 yeas

and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay 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.

Senate Bill No. 282 by Senator Mills

On behalf of the author, Jim Delatte, BIO-Biotechnology Innovation Organization, P. O. Box 1907, Ponchatoula, LA 70454, 985-507-6216, presented Senate Bill No. 282, which provides relative to prescription drug pricing.

Representative Danahay offered amendments to provide that an issuer's estimate of at least 50% of future rebate payments for the enrollee's actual point of sale prescription drug claim is accounted for in determining excess consumer cost burden instead of accounting for rebates or a prorated amount of the issuer cost based on the enrollee's coinsurance amount; to exempt the Office of Group Benefits from the proposed law definition of "health insurance issuer"; to provide that price concessions that accrue to the health insurance issuer and fees and administrative costs passed through to the issuer are included in the proposed law definition of rebates only if such concessions, fees, or costs are the result of point of sale prescription drug claim processing; to change the date on or after which a health insurance issuer must offer or renew health benefit plans for sale in the state for proposed law to apply to the issuer from January 1, 2019, to January 1, 2020; to remove proposed law provisions that require a health insurance issuer to annually certify to the commissioner of insurance that, during the prior benefit year, the health insurance issuer made available to enrollees at the point of sale at least an amount greater than 50% of rebates received by the insurer; to add provisions that require a health insurance issuer to annually make available to the commissioner of insurance information regarding the value of rebates expressed as a percentage that the health insurance issuer made available to enrollees at the point of sale; and to remove proposed provisions that authorize the commissioner of insurance to enforce the proposed law.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Jenkins, Jay Morris, Pugh, and Danahay voted yea.

Representative Danahay offered a motion to report Senate Bill No. 282 with amendments. Without objection, Senate Bill No. 282 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 2 for information only. Witness cards are included in the committee records.

Senate Bill No. 283 by Senator Mills

On behalf of the author, Jim Delatte, BIO-Biotechnology Innovation Organization, P. O. Box 1907, Ponchatoula, LA 70454, 985-507-6216, presented Senate Bill No. 283, which provides relative to pharmacy benefit managers.

Jim Delatte, Biotechnology Innovation Organization, P. O. Box 1907, Ponchatoula, LA 70454, 985-507-6216, presented the bill on behalf of the author.

Representative Danahay offered amendments to change the due date of the first transparency report from February 1, 2019, to June 1, 2020; to change the deadline for the Department of Insurance to publish a transparency report from 10 days after receipt to 60 days after receipt; and to remove provisions that authorize the commissioner of insurance to enforce the proposed law and provide for enforcement against the pharmacy benefit manager's license for failure to comply with the proposed law.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Representative Pugh offered a motion to report Senate Bill No. 283 with amendments. Without objection, Senate Bill No. 283 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 1 in opposition. Witness cards are included in the committee records.

Senate Bill No. 25 by Senator Mills

Senator Mills and Senate staff member Christine Peck presented Senate Bill No. 25. It provides relative to prohibited conduct.

Kathleen M. Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, spoke for information only on the bill.

Representative Pugh offered a motion to report Senate Bill No. 25 favorably. Without objection, Senate Bill No. 25 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Senate Concurrent Resolution No. 42 by Senator Appel

Senator Appel presented Senate Concurrent Resolution No. 42, which creates a task force to study the problem of trash and litter on state highways and waterways.

Representative Jay Morris offered amendments to add to the membership of the task force the executive director of the Louisiana Beverage Association, or his designee. Representative Jay Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

Representative Danahay offered a motion to report Senate Concurrent Resolution No. 42 with amendments. Without objection, Senate Concurrent Resolution No. 42 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay 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 Resolution No. 4 by Representative Talbot

Representative Talbot presented House Resolution No. 4, which provides relative to the passage of the Capital Outlay Bill.

Representative Danahay offered a motion to voluntarily defer action on House Resolution No. 4. Without objection, action on House Resolution No. 4 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Lance Harris, Jenkins, Jay Morris, Pugh, Shadoin, and Danahay voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:47 a.m.

Respectfully submitted,

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

Date approved: _____

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