

## House Committee on House and Governmental Affairs

Minutes of Meeting  
2018 Regular Session  
May 8, 2018

### **I. CALL TO ORDER**

Representative Stephen E. Pugh, vice chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:44 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

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

#### **MEMBERS ABSENT:**

Representative Gary M. Carter, Jr.  
Representative Robert E. Shadoin  
Representative Michael E. Danahay, chairman

#### **STAFF MEMBERS PRESENT:**

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

#### **ADDITIONAL ATTENDEES PRESENT:**

Adele Borne, clerk  
Michaela Wells, sergeant at arms  
Faye Talbot, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **Senate Bill No. 33 by Senator Colomb**

Senator Colomb presented Senate Bill No. 33, which names the LSU Health North Clinic and Urgent Care facility in Baton Rouge the "Willie F. Hawkins Emergency Care Center".

Representative Jenkins expressed the support of the Louisiana Legislative Black Caucus for the bill.

William Silvio, 419 West Woodgate Court, Baton Rouge, LA 70808, 225-978-9999, spoke in support of Senate Bill No. 33.

Stephen Russo, Louisiana Department of Health, 628 North 4<sup>th</sup> Street, Baton Rouge, LA 70802, 225-342-9509, spoke for information only on Senate Bill No. 33.

Representative Jenkins offered a motion to report Senate Bill No. 33 favorably. Without objection, Senate Bill No. 33 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, and Pugh 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. 260 by Senator Milkovich**

Senator Milkovich presented Senate Bill No. 260, which provides relative to disciplinary hearings by professional and occupational licensing boards and commissions.

Diana Chenevert, (no address provided), 504-444-1522, spoke in support of Senate Bill No. 260.

Dr. Andre Bruni, 11001 Highland Road, Baton Rouge, LA 504-908-8877 spoke in support of Senate Bill No. 260.

Randall M. Wilk, MD, DDS, PhD, 518 Nursery Avenue, Metairie, LA 70005, 504-994-0001, spoke in support of Senate Bill No. 260.

Robert Burns, 4155 Essen Lane, Apt. 228, Baton Rouge, LA 70809, 225-636-5506, spoke in support of Senate Bill No. 260.

Representative Ivey offered amendments to limit the provisions regarding the option of disciplinary adjudications by an administrative law judge in the division of administrative law to disciplinary actions brought by the Louisiana State Board of Dentistry, the Louisiana State Board of Medical Examiners, and the Louisiana Auctioneers Licensing Board; to require reports by the specified

licensing boards and the division of administrative law to the appropriate legislative oversight committees; to require the appropriate legislative oversight committees to conduct regular meetings concerning the reports and the disciplinary actions and hearings by the licensing boards and report to the legislature no later than January 1, 2021; and to provide that the provisions of proposed law regarding disciplinary adjudications, including the reports to and action by the legislative oversight committees, terminate on August 1, 2021.

Steve Duke, Louisiana Manufactured Housing Association, 4847 Revere Avenue, Baton Rouge, LA 70808, 225-324-6960, spoke in opposition to Senate Bill No. 260.

Jim Harris, Society of Louisiana CPAs and Louisiana Realtors, (no witness card provided), spoke in opposition to Senate Bill No. 260.

Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Representative Ivey offered a motion to report Senate Bill No. 260 with amendments. Without objection, Senate Bill No. 260 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 4 in opposition, and 2 for information only. Witness cards are included in the committee records.

### **House Resolution No. 148 by Representative Carpenter**

Representative Carpenter and Senator Barrow presented House Resolution No. 148, which creates a task force on the policies of the Recreation and Park Commission for the Parish of East Baton Rouge.

Representative Ivey offered amendments to remove certain language. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Representative Ivey offered a motion to report House Resolution No. 148 with amendments. Without objection, House Resolution No. 148 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

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

**Senate Bill No. 121 by Senator Perry**

On behalf of the author, Representative Hensgens presented Senate Bill No. 121, which provides an exception for a hospital service district commissioner that owns a pharmacy.

Matthew Brown, Abbeville General Hospital, 118 North Hospital Drive, Abbeville, LA 70510, spoke in favor of Senate Bill No. 121.

Kathleen M. Allen, Louisiana Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70816, spoke for information only on Senate Bill No. 121.

Representative Ivey offered a motion to report Senate Bill No. 121 favorably. Without objection, Senate Bill No. 121 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh 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.

**House Concurrent Resolution No. 60 by Representative Garofalo**

Representative Garofalo presented House Concurrent Resolution No. 60, which establishes the Public Access to Waterways Task Force.

Dean A. Wilson, Atchafalaya Basinkeeper, P. O. Box 410, Plaquemine, LA 70765, 225-692-4114, and LCPA-West, 337-257-3331, no address provided, spoke for information only on House Concurrent Resolution No. 60.

Representative Jay Morris offered a motion to report House Concurrent Resolution No. 60 favorably. Without objection, House Concurrent Resolution No. 60 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh 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.

**Senate Bill No. 135 by Senator Mills**

On behalf of the author, Representative Pearson presented Senate Bill No. 135, which provides relative to hospital service districts.

John William "Bill" Davis, 114 Rue Holiday, Slidell, LA 70461, 985-237-4427, spoke in support of Senate Bill No. 135.

Gilbert F. Ganucheau, Jr., St. Tammany Parish Hospital Service District #2, 1001 Gause Boulevard, Slidell, LA 70458, spoke in support of Senate Bill No. 135.

David G. Mannella, St. Tammany Parish Hospital District #2, 117 Rue De La Pax, Slidell, LA 70461, 985-643-8999, spoke in support of Senate Bill No. 135.

Dan Ferrari, St. Tammany Hospital District #2, 61391 Windose Court, Lacombe, LA, 504-606-8081, spoke in support of Senate Bill No. 135.

Daryl Purpera, legislative auditor, 1600 North 3<sup>rd</sup> Street, Baton Rouge, LA 70804, 225-339-3839, spoke for information only on Senate Bill No. 135.

Patrick Virgadamo, Louisiana Legislative Auditor's Office, 1100 South Foster Drive, #43, Baton Rouge, LA 70806, 225-339-3968, spoke for information only on Senate Bill No. 135.

Kevin Hayes, Louisiana Press Association, 412 North 4<sup>th</sup> Street, Baton Rouge, LA 70802, spoke in opposition to Senate Bill No. 135.

Representative Ivey offered amendments relative to definitions in the bill.

Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Representative Jenkins offered a motion to report Senate Bill No. 135 with amendments, to which Representative Jay Morris objected. The secretary called the roll, and the motion failed to pass by a vote of 3 yeas and 4 nays. Representatives Jimmy Harris, Jenkins, and Gregory Miller voted yea. Representatives Hill, Ivey, Jay Morris, and Pugh voted nay.

Representative Jay Morris offered a motion to involuntarily defer action on Senate Bill No. 135. Without objection, action on Senate Bill No. 135 was involuntarily deferred by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, and 1 for information only. Witness cards are included in the committee records.

**Senate Bill No. 319 by Senator Gatti**

On behalf of the author, Representative Jay Morris presented Senate Bill No. 319, which abolishes boards and commissions, authorities, districts, and like entities that are inactive.

Erin Monroe Wesley, office of the governor, State Capitol-4th Floor, Baton Rouge, LA, 225-937-3538, spoke in support of Senate Bill No. 319.

Representative Jay Morris offered amendments to add provisions abolishing the Health Education Authority of Louisiana and authorizing the commissioner of administration to transfer certain specified property and perform certain actions related thereto, and to provide for effectiveness.

Representative Jay Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

Representative Jay Morris offered a motion to report Senate Bill No. 319 with amendments. Without objection, Senate Bill No. 319 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

**House Concurrent Resolution No. 80 by Representative Jay Morris**

Representative Jay Morris presented House Concurrent Resolution No. 80, which provides for the appointment of the membership of the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs.

Representative Jay Morris offered a motion to report House Concurrent Resolution No. 80 favorably. Without objection, House Concurrent Resolution No. 80 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

**Senate Bill No. 376 by Senator G. Smith**

On behalf of the author, Duane Cowart, American Council of Engineering Companies of Louisiana, 10935 Perkins Road, Baton Rouge, LA 70810, 225-405-4088, presented Senate Bill No. 376, which provides relative to the definition of a "governmental function".

Representative Miller proposed an amendment to limit the language to what is *not* included in the definition of "governmental function."

Representative Miller withdrew the amendment and offered an amendment relative to a governmental function that is either authorized or required by law.

Kathleen Allen, Louisiana Board of Ethics/Ethics Administration Program, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, spoke for information only on Senate Bill No. 376.

There was no action taken on the amendment.

There was no final action taken on Senate Bill No. 376.

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

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

Representative Gregory Miller offered a motion to adjourn. Without objection, the motion to adjourn passed by a vote of 6 yeas and 0 nays. Representatives Jimmy Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Pugh voted yea.

The meeting was adjourned at 1:12 p.m.

Vice Chairman Stephen E. Pugh  
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.