

## **House Committee on House and Governmental Affairs**

Minutes of Meeting  
2020 Second Extraordinary Session  
October 1, 2020

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

Representative Stephen C. Dwight, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:50 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Stephen C. Dwight, chairman  
Representative Gerald "Beau" Beaulieu, IV  
Representative Royce Duplessis, vice chairman  
Representative Les Farnum  
Representative Foy Bryan Gadberry  
Representative Charles Alexander Henry  
Representative Valarie Hodges  
Representative Dodie Horton  
Representative Barry Ivey  
Representative Sam L. Jenkins, Jr.  
Representative Michael T. Johnson  
Representative Jeremy S. LaCombe  
Representative Tanner D. Magee  
Representative Candace N. Newell  
Representative Rodney Wayne Schamerhorn  
Representative Malinda B. White

#### **MEMBERS ABSENT:**

Representative Wilford Dan Carter, Sr.

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

Patricia Lowrey-Dufour, legislative analyst  
Lorriane Lucas, attorney  
Rosalie Ammersbach, committee administrative assistant

**ADDITIONAL ATTENDEES PRESENT:**

Myrtis Jarrell, sergeant at arms  
Faye Talbot, sergeant at arms  
Nicolas Garon, clerk

**III. DISCUSSION OF LEGISLATION****House Concurrent Resolution No. 9 by Representative Schexnayder**

Representative Schexnayder presented House Concurrent Resolution No. 9, which suspends certain authority of the governor relative to the declaration of an emergency.

Susan Raborn, 1323 Chippenham Drive, Baton Rouge, LA 70808, (225) 978-1490, spoke in support of House Concurrent Resolution No. 9.

Woody Jenkins, 910 North Foster Drive, Baton Rouge, LA 70806, (225) 921-1433, spoke in support of House Concurrent Resolution No. 9 and provided a handout, Exhibit A, which is included in the committee records.

Representative Horton offered a motion to report House Concurrent Resolution No. 9 favorably. Without objection, House Concurrent Resolution No. 9 was reported favorably by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Magee offered a motion to implement a five-minute rule for presentation of instruments and for members' questions. Without objection, the motion passed by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

**House Bill No. 4 by Representative Wright**

Representative Wright presented House Bill No. 4, which provides relative to emergency declarations.

Representative Dwight offered amendments to:

- (1) Authorize a renewal of a state of disaster or emergency or public emergency as provided in present law, but provide a procedure for either house of the legislature to terminate a renewal of a state of disaster or emergency or public emergency or specific sections or subsections thereof.
- (2) Require review of the renewal by the presiding officers and pro tempores of the legislature and provide that if those legislative officers make certain determinations regarding the renewal, they must transmit those concerns to the governor and direct the clerical officers to prepare and transmit a ballot to the surviving members regarding the specific issues.
- (3) Provide for the ballot process and duties of the clerical officers of the legislature relative thereto.
- (4) Provide that if a majority of the surviving members vote to terminate the governor's authority regarding an issue on the ballot, then that order or proclamation or section or subsection of such order or proclamation, as the case may be, is deemed terminated.

Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, and Schamerhorn voted yea. Representative Dwight abstained.

Representative Magee offered a motion to report House Bill No. 4 with amendments. No vote was taken on the motion.

James B. Waskom, Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), 7667 Independence Boulevard, Baton Rouge, LA 70806, (225) 925-7345, spoke for information only on House Bill No. 4.

Representative Magee withdrew his motion to report House Bill No. 4 with amendments.

Representative Mike Johnson offered a motion to report House Bill No. 4 with amendments, to which Representative Duplessis objected. The administrative assistant called the roll, and House Bill No. 4 was reported with amendments by a vote of 10 yeas, 5 nays, and 1 abstention. Representatives Beaulieu, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Mike Johnson, Magee, and Schamerhorn voted yea. Representatives Duplessis, Jenkins, LaCombe, Newell, and White voted nay. Representative Dwight abstained.

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. 19 by Representative Mike Johnson**

On behalf of Representative Mike Johnson, Representative Dwight presented House Bill No. 19, which provides relative to emergency declarations.

Representative Mike Johnson offered a motion to voluntarily defer action on House Bill No. 19. Without objection, action on House Bill No. 19 was voluntarily deferred by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 17 by Representative Horton**

On behalf of Representative Horton, Representative Dwight presented House Bill No. 17, which limits duration of certain, specified public health emergencies unless extension is authorized by the legislature.

Representative Horton offered a motion to voluntarily defer action on House Bill No. 17. Without objection, action on House Bill No. 17 was voluntarily deferred by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 29 by Senator Cortez**

Senator Cortez presented Senate Bill No. 29, which provides for legislative review of a state of emergency issued by the governor that extends beyond thirty days.

Representative Beaulieu offered amendments to:

- (1) Change the time frame in which the governor must submit to the committee and to the chief justice of the La. Supreme Court a notification of his intent to renew an executive order from seven days to seventy-two hours prior to expiration.

- (2) Add a provision that requires the petition to be in the form of a concurrent resolution if the legislature is in session and allow the petition to be completed by mail ballot if the legislature is not in session.
- (3) Remove the time frame in which the committee must meet to review the governor's notification of his intent to renew an executive order.

Representative Beaulieu offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Woody Jenkins, 910 North Foster Drive, Baton Rouge, LA 70806, (225) 921-1433, spoke in opposition to Senate Bill No. 29.

*Representative Magee in the chair.*

Susan Raborn, 1323 Chippenham, Baton Rouge, LA 70808, (225) 978-1490, spoke in opposition to Senate Bill No. 29.

Representative Magee offered a motion to report Senate Bill No. 29 with amendments. Without objection, Senate Bill No. 29 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Magee, Schamerhorn, and White voted yea.

### **House Bill No. 32 by Representative Zeringue**

Representative Zeringue presented House Bill No. 32, which provides for the operation of restaurants and bars during a declared emergency or disaster.

*Chairman Dwight in the chair.*

Representative Magee offered amendments to make proposed law applicable to establishments selling alcoholic beverages for consumption on the premises rather than to bars. Representative Magee offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Ivey, Jenkins, Magee, and Schamerhorn voted yea. Representative Dwight abstained.

Representative Farnum offered a motion to report House Bill No. 32 with amendments. Without objection, House Bill No. 32 was reported with amendments by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Magee, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

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. 15 by Representative Frieman**

Representative Frieman presented House Bill No. 15, which provides relative to emergency declarations.

Representative Beaulieu offered amendments to add a requirement for legislative clerical officers to disseminate a petition to the public and specified government agencies. Representative Beaulieu offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Gadberry, Henry, Horton, Ivey, Jenkins, Magee, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

Representative Magee offered a motion to report House Bill No. 15 with amendments, to which Representative Jenkins objected. The administrative assistant called the roll, and House Bill No. 15 was reported with amendments by a vote of 10 yeas, 4 nays, and 1 abstention. Representatives Beaulieu, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Mike Johnson, Magee, and Schamerhorn voted yea. Representatives Duplessis, Jenkins, LaCombe, and Newell voted nay. Representative Dwight abstained.

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. 11 by Representative Pressly**

Representative Pressly presented House Bill No. 11, which provides relative to the termination of emergency declarations.

Representative Dwight offered amendments to:

- (1) Add section that makes proposed law effective upon signature of governor or lapse of time for gubernatorial action.
- (2) Make technical changes.

Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Beaulieu offered a motion to report House Bill No. 11 with amendments. Without objection, House Bill No. 11 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

### **House Bill No. 3 by Representative McFarland**

On behalf of Representative McFarland, Representative Dwight presented House Bill No. 3, which provides relative to public health emergency declarations.

Representative Dwight offered a motion to voluntarily defer action on House Bill No. 3. Without objection, action on House Bill No. 3 was voluntarily deferred by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 23 by Representative McFarland**

On behalf of Representative McFarland, Representative Dwight presented House Bill No. 23, which provides relative to public health emergencies.

Representative Dwight offered a motion to voluntarily defer action on House Bill No. 23. Without objection, action on House Bill No. 23 was voluntarily deferred by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 68 by Representative Schexnayder**

On behalf of Representative Schexnayder, Representative Beaulieu presented House Bill No. 68, which provides with respect to legislative authority during periods of certain declared emergencies.

Representative Beaulieu offered a motion to report House Bill No. 68 favorably. Without objection, House Bill No. 68 was reported favorably by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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

**House Concurrent Resolution No. 15 by Representative Ivey**

Representative Ivey presented House Concurrent Resolution No. 15, which suspends certain provisions of the Louisiana Health Emergency Powers Act.

Representative Ivey offered amendments to add a provision for termination of the proposed Concurrent Resolution by legislative petition. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

Representative Ivey offered a motion to report House Concurrent Resolution No. 15 with amendments. Without objection, House Concurrent Resolution No. 15 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

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. 60 by Representative Ivey**

Representative Ivey presented House Bill No. 60, which provides for the termination or extension of a state of emergency.



Representative Ivey offered amendments to:

- (1) Clarifies that the House of Representatives or the Senate may, by petition of the surviving members of either house, may terminate an emergency declaration. Further provide that the petition may establish a period where no other declaration of a public health emergency may be issued and that the petition must also include a date and time of termination for such emergency.
- (2) Amend present law and add a provision that the petition must be submitted to the clerical officer of the respective house who will then send the signed petition to the other house, the governor, and the secretary of state. Further add that the clerical officer must also publish the petition on the joint legislative website and in the official journal of the state.
- (3) Remove present law that requires the governor to issue an executive order or proclamation ending the state of public health or emergency upon receipt of a signed petition terminating a public health emergency.

Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

Representative Ivey offered amendments to clarify that the ballot must allow each member to cast his vote separately for or against each item. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

Representative Ivey offered a motion to report House Bill No. 60 with amendments. Without objection, House Bill No. 60 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

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

There was no other business.

#### **V. ANNOUNCEMENTS**

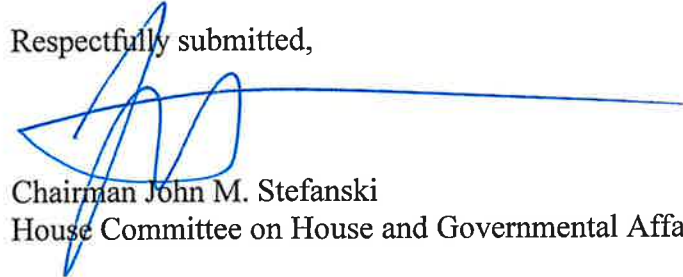
There were no announcements.

## VI. ADJOURNMENT

Representative Duplessis offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Duplessis, Farnum, Gadberry, Henry, Hodges, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

The meeting was adjourned at 1:48 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "John M. Stefanski", is written over a horizontal line. The signature is stylized and extends across the line.

Chairman John M. Stefanski  
House Committee on House and Governmental Affairs

Date adopted: April 22, 2021

The committee has acknowledged on April 22, 2021, that these minutes were prepared in accordance with the rules of the House of Representatives.