

HOUSE COMMITTEE ON MUNICIPAL, PAROCHIAL AND CULTURAL AFFAIRS

Minutes of Meeting
2012 Regular Session
April 26, 2012

I. CALL TO ORDER

Representative Girod Jackson III, chairman of the House Committee on Municipal, Parochial and Cultural Affairs, called the meeting to order at 11:02 a.m. in House Committee Room 6 of the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Girod Jackson III,
Chairman
Representative Austin Badon
Representative Taylor F. Barras
Representative Regina Ashford Barrow
Representative John A. Berthelot
Representative Wesley T. Bishop
Representative Jared Brossett
Representative Terry R. Brown
Representative Roy Burrell
Representative Michael E. Danahay
Representative Kenneth E. Havard
Representative Dalton Honoré
Representative Barbara Norton
Representative Stephen J. Ortego
Representative Stephen E. Pugh
Representative Thomas P. Willmott

MEMBERS ABSENT:

Representative Robert E. Billiot,
Vice Chairman
Representative Clifton R. Richardson

STAFF MEMBERS PRESENT:

Tina Righteous, Committee Attorney
Valarie Banks, Committee Secretary
Arletha Penn, Committee Clerk
David Gauthier, Central Staff Legislative Analyst
Bryan Vincent, Director
E. Anne Dunn, Director

Susan Broussard, Sergeant at Arms
Mattie Franklin, Sergeant at Arms
Amy Robinson, Sergeant at Arms

III. DISCUSSION OF LEGISLATION

House Bill No. 968 by Representative Arnold

Chairman Girod Jackson III stated that House Bill No. 968, which prohibits an unpaid traffic citation that was issued by an automated traffic enforcement system from being sent to a collection agency, had been voluntarily deferred by the author.

Mr. Ty Bromell, representing the Police Jury Association, 707 North 7th Street, Baton Rouge, LA 70802, (225) 343-2835, was present in opposition to the bill.

House Bill No. 973 by Representative Harrison

Chairman Girod Jackson III stated that House Bill No. 973, which creates a hospital service district, had been voluntarily deferred by the author.

House Bill No. 1137 by Representative Schroder

Chairman Girod Jackson III stated that House Bill No. 1137, which provides relative to the filling of vacancies in certain positions in the classified police service, had been voluntarily deferred by the author.

Mr. Michael Ranatza, executive director, and Mr. Gary Bennett, assistant executive director of the Louisiana Sheriff's Association, 801 North Boulevard, Suite 120, Baton Rouge, LA 70802, (225) 343-8402, were present in support of the bill.

Mr. Crois Dejormeaux, representing the Lake Charles Police Association, P.O. Box 2101, Lake Charles, LA; and Mr. Chris Nassif, representing the Louisiana Union of Police Association, 1332 Lakeridge Drive, Baton Rouge, LA, (225) 300-8099, were present in opposition to the bill.

House Bill No. 1165 by Representative Havard

Chairman Girod Jackson III stated that House Bill No. 1165, which provides relative to hotel occupancy taxes levied and collected in certain municipalities, had been voluntarily deferred by the author.

House Bill No. 1119 by Representative Harrison

The author presented House Bill No. 1119, which authorizes hospital service districts to operate facilities outside of the district's boundaries.

Representative Brossett is in the chair.

Mr. Milton D. Bourgeois, Jr., representing Ochsner St. Anne, Hospital District #2, LaFourche, 2975 Highway 308, Raceland, LA 70394, (985) 537-8377; and Mr. Charles Castille, representing the Louisiana Rural Hospital Coalition, 450 Laurel Street, Baton Rouge, LA 70801, (225) 378-5200, spoke in opposition to the bill.

Present in opposition to the bill but declining to speak were Mr. Mark Beckstrom, representing Ochsner Health System, 1514 Jefferson Highway, New Orleans, LA 70121, (504) 842-3228; Mr. Ronnie Duncan, representing Catholic Health Association, 8940 Bluebonnet, Baton Rouge, LA, (225) 761-5136; Mr. Jim Harris, representing Ochsner, 521 Laurel Street, Baton Rouge, LA, (225) 344-0351; and Mr. William A. Oliver, representing Ochsner, 3362 Spencer Court, Baton Rouge, LA 70809, (504) 491-0050.

Chairman Girod Jackson III is in the chair.

Representative Danahay offered a motion to involuntarily defer House Bill No. 1119, to which there were no objections. The motion passed by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Senate Bill No. 617 by Senator Donahue

At the request of the author, Representative Pugh presented Senate Bill No. 617, which changes the composition of the board of commissioners of the St. Tammany Parish Development District.

Ms. Reneé Roberts, representing the St. Tammany Parish Government, P.O. Box 628, Covington, LA 70434, (985) 898-2700; and Mr. Dino Paternostro, representing the Northshore Legislative Alliance, 118 West Hall, Slidell, LA 70460, were present in support of the bill.

Representative Wesley Bishop offered a motion to report Senate Bill No. 617 favorably. There were no objections. The motion was carried by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Pugh offered a motion to place Senate Bill No. 617 on the Local & Consent calendar. Without objection, the motion passed by a vote of 12 yeas, 0 nays, and 1 abstention with Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Pugh, and Willmott voting yea. Chairman Girod Jackson III abstained.

Senate Bill No. 315 by Senator Amedee

On behalf of Senator Amedee, Representative Berthelot presented Senate Bill No. 315, which re-creates the Department of Culture, Recreation and Tourism.

Mr. Jacques Berry, representing the office of the lieutenant governor, 1051 North Third Street, Baton Rouge, LA, (225) 342-7009, was present to provide information.

Present in support of the bill but not wishing to speak were Ms. Keli Williams, representing the Louisiana Industrial Development Executives Association, P.O. Box 82531, Baton Rouge, LA 70884, (225) 767-7640; and Mr. Duane Huddleston, representing Shreveport police, (318) 673-6908.

Representative Brown offered a motion to report Senate Bill No. 315 favorably. Without objection, the motion was carried by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Girod Jackson III offered a motion to place Senate Bill No. 315 on the Local & Consent Calendar. There was no objection to the motion, which passed by a vote of 14 yeas and 0 nays. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Girod Jackson III, Norton, Pugh, and Willmott voted yea.

Senate Bill No. 622 by Senator Amedee

At the request of the author, Representative Berthelot presented Senate Bill No. 622, which authorizes the lieutenant governor to perform the duties, functions, and responsibilities of the secretary of culture, recreation and tourism.

Mr. Jacques Berry, representing the office of the lieutenant governor, 1051 North Third Street, Baton Rouge, LA, (225) 342-7009, was present to provide information.

Representative Honoré offered a motion to report Senate Bill No. 622 favorably. There was no objection, and the motion passed by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Girod Jackson III offered a motion to place Senate Bill No. 622 on the Local & Consent Calendar. There was no objection to the motion, which passed by a vote of 14 yeas and 0 nays. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Girod Jackson III, Norton, Pugh, and Willmott voted yea.

Senate Bill No. 361 by Senator Morrell

On behalf of the author, Representative Brossett presented Senate Bill No. 361, which provides relative to 9-1-1 fees for the Orleans Communications District.

Representative Girod Jackson III proposed an amendment that changes the type of service to which certain proposed additional service charges apply from broadband service to voice over internet protocol service. Without objection, the amendment was adopted by a vote of 14 yeas and

0 nays. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Girod Jackson III, Norton, Pugh, and Willmott voted yea.

Mr. George Sutton, representing AT&T, 731 Lakeland Drive, Baton Rouge, LA 70802, (225) 205-6160, provided information on the legislation.

Present in support of Senate Bill No. 361 was Mr. Rodney Braxton, representing the City of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 806-2522.

Representative Honoré offered a motion to report Senate Bill No. 361 with amendments, and without objection, the motion was carried by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Senate Bill No. 80 by Senator Cortez

The author presented Senate Bill No. 80, which provides for the powers of the chief of police of Youngsville.

Present in support of the legislation but declining to speak were: Chief Boyd Adams, representing the Kaplan Police Department, 413 N. Cushing, Kaplan, LA, (337) 643-8600; Mr. Fabian Blache, representing the Louisiana Association of Chiefs of Police, 700 North 10th Street, Suite 250, Baton Rouge, LA 70802, (225) 387-3261; Lieutenant Seth Comeaux, representing the Kaplan Police Department, 413 North Cushing, Kaplan, LA 70548, (337) 643-8600; Chief Brannon Decou, representing Broussard police, 414 East Main Street, Broussard, LA, (337) 837-6259; Mr. Kevin Hayes, representing Adams and Reese LLP, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200; Mr. Duane Huddleston, representing the Shreveport Police Department, 1234 Texas Avenue, Shreveport, LA, (318) 673-6908; Ms. Cassie Hughes, representing the Louisiana Association of Chiefs of Police, 8440 Jefferson Highway, Suite 301, Baton Rouge, LA 70809, (225) 929-7033; Mr. Mike Knaps, representing the Louisiana Association of Chiefs of Police, (225) 775-6000; Chief Chad Leger, representing the City of Scott, (337) 233-3715; Chief Earl Menard, representing the Youngsville Police Department, P.O. Box 310, Youngsville, LA 70592, (337) 856-5960; and Assistant Chief Byron Romero, representing the Youngsville Police Department, P.O. Box 310, Youngsville, LA 70592, (337) 856-5960.

Representative Pugh offered a motion to report Senate Bill No. 80 favorably. Without objection, the motion was carried by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Girod Jackson III offered a motion to place Senate Bill No. 80 on the Local & Consent Calendar, to which no objection was made. The motion passed by a vote of 14 yeas and 0 nays with Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Brown, Danahay, Havard, Honoré, Girod Jackson III, Norton, Pugh, and Willmott voting yea.

Senate Bill No. 312 by Senator Cortez

Senate Bill No. 312 provides that the position of assistant police chief, relative to the towns of Broussard, Carencro, Scott, and Youngsville, shall be in the unclassified service. The author presented resolutions from the mayor and/or city councils of Broussard, Carencro, Kaplan, Scott, and Youngsville (Exhibit A) in favor of the legislation.

Chief Boyd Adams, representing the Kaplan Police Department, 413 N. Cushing, Kaplan, LA, (337) 643-8600; Mr. Fabian Blache, representing the Louisiana Association of Chiefs of Police, 700 North 10th Street, Suite 250, Baton Rouge, LA 70802, (225) 387-3261; Lieutenant Seth Comeaux, representing the Kaplan Police Department, 413 North Cushing, Kaplan, LA 70548, (337) 643-8600; Chief Brannon Decou, representing Broussard police, 414 East Main Street, Broussard, LA, (337) 837-6259; Mr. Kevin Hayes, representing Adams and Reese LLP, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200; Ms. Cassie Hughes, representing the Louisiana Association of Chiefs of Police, 8440 Jefferson Highway, Suite 301, Baton Rouge, LA 70809, (225) 929-7033; Mr. Mike Knaps, representing the Louisiana Association of Chiefs of Police, (225) 775-6000; Chief Chad Leger, representing the City of Scott, (337) 233-3715; Chief Earl Menard, representing the Youngsville Police Department, P.O. Box 310, Youngsville, LA 70592, (337) 856-5960; and Assistant Chief Byron Romero, representing the Youngsville Police Department, P.O. Box 310, Youngsville, LA 70592, (337) 856-5960, were present in support of the legislation, but declined to speak.

Representative Barras offered a motion to report Senate Bill No. 312 favorably. There was no objection. The motion passed by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Senate Bill No. 496 by Senator Perry

At the request of the author, Representative Hensgens presented Senate Bill No. 496, which provides relative to the authority of the chief of police for the city of Kaplan and the position of assistant to the chief of police.

Present in support of the legislation but not wishing to speak were Chief Boyd Adams, representing the Kaplan Police Department, 413 N. Cushing, Kaplan, LA, (337) 643-8600; Mr. Fabian Blache, representing the Louisiana Association of Chiefs of Police, 700 North 10th Street, Suite 250, Baton Rouge, LA 70802, (225) 387-3261; Lieutenant Seth Comeaux, representing the Kaplan Police Department, 413 North Cushing, Kaplan, LA 70548, (337) 643-8600; Chief Brannon Decou, representing Broussard police, 414 East Main Street, Broussard, LA, (337) 837-6259; Mr. Kevin Hayes, representing Adams and Reese LLP, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200; Mr. Duane Huddleston, representing the Shreveport Police Department, 1234 Texas Avenue, Shreveport, LA, (318) 673-6908; Ms. Cassie Hughes, representing the Louisiana Association of Chiefs of Police, 8440 Jefferson Highway, Suite 301, Baton Rouge, LA 70809, (225) 929-7033; Mr. Mike Knaps, representing the Louisiana Association of Chiefs of Police,

(225) 775-6000; Chief Chad Leger, representing the City of Scott, (337) 233-3715; Chief Earl Menard, representing the Youngsville Police Department, P.O. Box 310, Youngsville, LA 70592, (337) 856-5960; and Assistant Chief Byron Romero, representing the Youngsville Police Department, P.O. Box 310, Youngsville, LA 70592, (337) 856-5960.

Representative Honoré offered a motion to report Senate Bill No. 496 favorably. Without objection, the motion was carried by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Honore offered a motion to place Senate Bill No. 496 on the Local & Consent Calendar, to which there was no objection. The motion passed by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

House Bill No. 335 by Representative Lorusso

The author presented House Bill No. 335 which, relative to the New Orleans City Park Taxing District, provides with respect to procedures relative to use of state sales tax increments for tax increment financing.

Representative Pugh proposed an amendment that, relative to the submission of a local economic development project to the Joint Legislative Committee on the Budget for approval, requires that the commissioner of administration submit the project rather than the district and requires that the submittal include a written evaluation and determination by the division of administration. There were no objections to the amendment, which was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Danahay, Havard, Honoré, Norton, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Berthelot offered a motion to report House Bill No. 335 with amendments. Without objection, the motion was carried by a vote of 9 yeas, 0 nays, and 1 abstention with Representatives Barras, Barrow, Berthelot, Brossett, Danahay, Havard, Honoré, Pugh, and Willmott voting yea. Chairman Girod Jackson III abstained.

House Bill No. 1103 by Representative Leger

House Bill No. 1103, which provides relative to the Louisiana Sports and Entertainment District, was presented by Speaker Pro Tempore Leger.

Representative Girod Jackson III proposed amendments that clarify that Louisiana sales tax increments, rather than sales taxes, may be dedicated to the district; prohibit state sales tax increments from exceeding the aggregate portion of the local sales tax increments dedicated for district purposes; and, relative to the submittal of the local economic development project to the

Joint Legislative Committee on the Budget for approval, require that the submittal include a written evaluation and determination by the division of administration and make provisions relative to the contents of the submittal. There were no objections to the amendments, which were adopted by a vote of 11 yeas and 0 nays. Representatives Badon, Barras, Barrow, Berthelot, Brossett, Danahay, Havard, Honoré, Girod Jackson III, Pugh, and Willmott voted yea.

Representative Brossett offered a motion to report House Bill No. 1103 with amendments. Without objection, the motion was carried by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Brossett, Danahay, Havard, Honoré, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

House Bill No. 681 by Representative Leger

The author presented House Bill No. 681, which provides relative to energy efficiency or renewable energy improvement loans.

Representative Girod Jackson III offered amendments that provide relative to a property owner's options for acquiring energy efficiency or renewable energy improvements and requirements for entering into a financing agreement for such improvements. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays with Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Danahay, Havard, Honoré, Girod Jackson III, Norton, Ortego, Pugh, and Willmott voting yea.

Speaking in support of the legislation was Mr. Emory Belton, representing YGreene, 10602 Hillbrook Avenue, Baton Rouge, LA 70810, (225) 615-0212.

Speaking in opposition to the legislation was Mr. Joe Gendron, representing the Louisiana Bankers Association, 5555 Bankers Avenue, Baton Rouge, LA 70808, (225) 214-4837; and Mr. David Boneno, representing the Louisiana Bankers Association, 5555 Bankers Avenue, Baton Rouge, LA 70808, (225) 387-3282.

Representative Wesley Bishop offered a motion to report House Bill No. 681 with amendments, to which Representative Barras objected. The secretary called the roll. The motion failed by a vote of 2 yeas, 10 nays, and 1 abstention. Representatives Badon and Wesley Bishop voted yea. Representatives Barras, Barrow, Berthelot, Danahay, Havard, Honoré, Norton, Ortego, Pugh, and Willmott voted nay. Chairman Girod Jackson III abstained.

Senate Bill No. 630 by Senator Morrell

The author presented Senate Bill No. 630, which authorizes a fixed rate for emergency telephone service charges in St. Bernard Parish.

Representative Pugh offered a motion to report Senate Bill No. 630 favorably. There were no objections. The motion passed by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives

Badon, Barras, Barrow, Berthelot, Wesley Bishop, Danahay, Havard, Honoré, Norton, Ortego, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Representative Pugh offered a motion to place Senate Bill No. 630 on the Local & Consent Calendar and without objection, the motion was carried by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Danahay, Havard, Honoré, Norton, Ortego, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Senate Bill No. 98 by Senator Morrell

Senate Bill No. 98 provides for the expenditure of public funds by any fire protection district, municipal fire department, or volunteer fire department.

Representative Berthelot proposed an amendment that changes meals covered by proposed law from meals for firefighters performing emergency services to a meal in conjunction with an event honoring the firefighter. There was no objection to the amendment, which passed by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Burrell, Danahay, Havard, Honoré, Norton, Ortego, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

Mr. Nicholas Felton, president of the New Orleans Fire Fighters Association, 3520 General De Gaulle Drive, New Orleans, LA 70114, (504) 366-8564; Mr. Chad Major, representing Professional Firefighters, 8011 Merle Gustafson, Baton Rouge, LA, (225) 572-8483; Mr. Ed Parker, representing AFSCME, 429 Government Street, Baton Rouge, LA, (225) 927-2800; and Mr. Boyd Westbrook, representing Louisiana fire chiefs, 6035 Hagerstown, Baton Rouge, LA 70817, (225) 279-1364, were present in support of the legislation but declined to speak.

Representative Wesley Bishop offered a motion to report Senate Bill No 98 with amendments. Without objection the motion was carried by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Badon, Barras, Barrow, Berthelot, Wesley Bishop, Brossett, Burrell, Danahay, Havard, Honoré, Norton, Ortego, Pugh, and Willmott voted yea. Chairman Girod Jackson III abstained.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned at 1:12 p.m.

Respectfully submitted,

Girod Jackson III, Chairman

Date Approved: