

House Committee on Appropriations

Minutes of Meeting
2016 Regular Session
May 9, 2016

I. CALL TO ORDER

Representative Cameron Henry, Chairman of the House Committee on Appropriations, called the meeting to order at 10:02 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Cameron Henry, Chairman
Representative Mark Abraham
Representative Beryl A. Amedée
Representative Tony Bacala
Representative Lawrence A. "Larry" Bagley
Representative John A. Berthelot
Representative Robert E. Billiot
Representative Gary M. Carter, Jr.
Representative Charles R. Chaney
Representative Rick Edmonds
Representative Franklin J. Foil
Representative Lance Harris
Representative Bob Hensgens
Representative Valarie Hodges
Representative Walt Leger, III
Representative Jack G. McFarland
Representative Blake Miguez
Representative Dustin Miller
Representative Steve E. Pylant
Representative Jerome Richard
Representative John M. Schroder, Sr.
Representative Scott M. Simon
Representative Patricia Haynes Smith
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative James K. Armes, III

STAFF MEMBERS PRESENT:

Ms. Penny B. Bouquet, Administrative Secretary

Mr. Peter G. E. Conroy, Legislative Analyst

Ms. Nancy Keaton, Legislative Analyst

ADDITIONAL ATTENDEES PRESENT:

None

III. DISCUSSION OF LEGISLATION**House Bill No. 105 by Representative Henry**

Representative Henry presented House Bill No. 105, which provides for the ordinary operating expenses of the Department of Justice, Office of the Attorney General, for Fiscal Year 2016-2017.

Representative Henry offered an amendment to provide for the appropriations for the Department of Justice, Office of the Attorney General, for FY16-17.

Representative Henry discussed the purpose of creating a supplemental budget bill for the Attorney General's Office, whether or not the committee is authorized to do so under the constitution, and the level of budget authority given to the Attorney General under the amendment with Representatives Leger and Smith.

Commissioner Jay Dardenne, Division of Administration, 1201 North Third Street, Suite 7-210, Baton Rouge, LA 70802, (225) 342-7000, provided testimony regarding how removing the Department of Justice from House Bill No. 1 and creating a supplemental budget for a statewide elected official is unconstitutional.

Commissioner Dardenne and Mr. Barry Dussé, Director of the Office of Planning and Budget, 1201 North Third Street, Suite 7-150, Baton Rouge, LA 70802, (225) 342-7005, discussed the fundamentals and practicalities of the bill, should it pass, and how the department would be budgeted in future fiscal years with Representatives Bagley, Billiot, and Schroder.

Representative Henry discussed the cost savings and purpose of the amendment with Representative Schroder.

Mr. Dussé discussed the BA-7 approval process and how the process would apply to the bill with Representative Leger.

Representative Leger addressed the committee regarding the constitutional issues with the amendment.

Commissioner Dardenne discussed the ramifications of adopting the amendment to the department, should the bill be deemed unconstitutional with Representative Carter.

Commissioner Dardenne discussed changes to the department's statutorily dedicated funds with Representative McFarland.

Mr. Dussé discussed the mechanisms to track the department's budget if removed from House Bill No. 1 with Representative Foil.

Representative Henry offered a motion to adopt the proposed amendments, to which Representative Leger objected. The amendments were adopted by a vote of 17 yeas and 6 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Pylant, Richard, Schroder, Simon, and Zeringue voted yea. Representatives Billiot, Gary Carter, Chaney, Leger, Dustin Miller, and Smith voted nay.

There was no further discussion on the bill.

Representative Henry offered a motion to report House Bill No. 105 with amendments, to which Representative Leger objected. House Bill No. 105 was reported with amendments by a vote of 17 yeas and 6 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Pylant, Richard, Schroder, Simon, and Zeringue voted yea. Representatives Billiot, Gary Carter, Chaney, Leger, Dustin Miller, and Smith voted nay.

Representative Henry offered a motion to special order for 5-12-16 House Bill No. 105. Without objection, House Bill No. 105 special order for 5-12-16 by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 105 is available upon request.

House Bill No. 1 by Representative Henry

Representative Henry presented House Bill No. 1, which provides for the ordinary operating expenses of state government for Fiscal Year 2016-2017.

Representative Henry offered a motion to authorize late submissions of NGO forms House Bill No. 1.

Representative Schroder questioned the reason for the late submissions of NGO forms.

Without objection, House Bill No. 1 authorize late submissions of NGO forms by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a set of in-globo amendments. (See Exhibit A)

Representative Henry discussed the reallocation of budget reductions to the hospital public-private partnerships, adjustments to the federal funding for the Medicaid Program, the additional funding for the Taylor Opportunity Program for Students (TOPS), and adjustments to the Inspector General's Office, with Representative Leger.

Mr. Stephen Street, State Inspector General, 602 North Fifth Street, Baton Rouge, LA 70804, (225) 342-4262, discussed, with Representatives Foil and Leger, the ramifications of eliminating the Inspector General's Office and provided testimony regarding fraud cases that the office has investigated.

Mr. Street discussed moving the department to self-generating revenue with Representative Schroder.

Mr. Street discussed the amount of restitution his office has collected during his term versus the amount spent on attorneys' fees and lawsuits and a potential duplication of services between the Inspector General's Office and The Attorney General's Office with Representative Pylant.

Representative Henry discussed the means for financing for TOPS, interagency transfers for the LSU and Southern Lab Schools with Representative Smith.

Commissioner Dardenne discussed the impact of reallocating budget reductions to the hospital public-private partnerships with Representative Smith.

Representative Henry discussed communication issues between the committee and the Division of Administration with Representative Smith.

Mr. Thomas Bickham, Undersecretary for the Department of Corrections, 504 Mayflower Street, Baton Rouge, LA 70884, no telephone number provided, discussed, with Representative Pylant, if Allen and Winn Correctional Centers are considered to be privately or publicly run facilities.

Representative Henry offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 20 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Simon, and Zeringue voted yea.

There was no further discussion on the bill.

Representative Henry offered a motion to report House Bill No. 1 with amendments, to which Representative Leger objected. House Bill No. 1 was reported with amendments by a vote of 18 yeas and 4 nays. Representatives Henry, Amedée, Bacala, Berthelot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Pylant, Richard, Schroder, Simon, and Zeringue voted yea. Representatives Abraham, Billiot, Leger, and Dustin Miller voted nay.

Representative Henry offered a motion to special order #2 for 5-12-16 House Bill No. 1. Without objection, House Bill No. 1 special order #2 for 5-12-16 by a vote of 22 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, and Zeringue voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 1 is available upon request.

House Bill No. 1047 by Representative Henry

Representative Henry presented House Bill No. 1047, which supplemental appropriations for Fiscal Year 2015-2016.

Representative Henry offered a set of in-globo amendments and asked Mr. Dussé to present the amendments. (See Exhibit B)

Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 20 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Richard, Schroder, Simon, and Zeringue voted yea.

Representative Henry offered a motion to report House Bill No. 1047 with amendments. Without objection, House Bill No. 1047 was reported with amendments by a vote of 20 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney,

Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, and Smith voted yea.

Representative Henry offered a motion to special order for 5-12-16 House Bill No. 1047. Without objection, House Bill No. 1047 special order for 5-12-16 by a vote of 20 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, and Smith voted yea.

A copy of the witness cards for individuals (who were present, but did not testify) in support of, in opposition to, and to provide information on House Bill No. 1047 is available upon request.

House Bill No. 409 by Representative Henry

Representative Henry presented House Bill No. 409, which provides for the transfer, deposit, and use of monies among state funds.

Representative Henry offered amendments to HCAHB409_255_3238. Representative Henry offered a motion to adopt the proposed amendments, to which Representative Smith objected. The secretary called the roll, and the amendments were adopted by a vote of 19 yeas and 4 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Pylant, Richard, Schroder, Simon, and Zeringue voted yea. Representatives Gary Carter, Leger, Dustin Miller, and Smith voted nay.

Representative Henry offered a motion to report House Bill No. 409 with amendments. Without objection, House Bill No. 409 was reported with amendments by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to special order 5-12-16 House Bill No. 409. Without objection, House Bill No. 409 special order 5-12-16 by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

House Bill No. 215 by Representative Henry

Representative Henry presented House Bill No. 215, which provides for the ancillary expenses of state government.

Representative Henry offered amendments to HCAHB215_255_3446. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to report House Bill No. 215 with amendments. Without objection, House Bill No. 215 was reported with amendments by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to special order 5-12-16 House Bill No. 215. Without objection, House Bill No. 215 special order 5-12-16 by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

House Bill No. 616 by Representative Henry

Representative Henry presented House Bill No. 616, which appropriates funds for the expenses of the judiciary for Fiscal Year 2016-2017.

Representative Henry offered amendments to HCAHB616_1194_3945. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 23 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Pylant, Richard, Schroder, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to report House Bill No. 616 with amendments. Without objection, House Bill No. 616 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to special order for 5-12-16 House Bill No. 616. Without objection, House Bill No. 616 special order for 5-12-16 by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

House Bill No. 1049 by Representative Barras

Representative Barras presented House Bill No. 1049, which makes appropriations for the expenses of the legislature for FY 2016-2017.

Representative Henry offered amendments to HCAHB1049_255_3834. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Berthelot offered a motion to report House Bill No. 1049 with amendments. Without objection, House Bill No. 1049 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to special order 5-12-16 House Bill No. 1049. Without objection, House Bill No. 1049 special order 5-12-16 by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

House Bill No. 984 by Representative Henry

Representative Henry presented House Bill No. 984, which provides for revenue sharing distribution for Fiscal Year 2016-2017.

Representative Henry offered a motion to report House Bill No. 984 favorably. Without objection, House Bill No. 984 was reported favorably by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Henry offered a motion to special order 5-12-16 House Bill No. 984. Without objection, House Bill No. 984 special order 5-12-16 by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

House Bill No. 717 by Representative Stokes

Representative Stokes presented House Bill No. 717, which provides relative to the funding of the operations of the Department of Revenue.

Representative Henry offered amendments to HCAHB717_255_4029. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot,

Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Henry offered amendments to HCAHB717_255_4030. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Berthelot offered a motion to report House Bill No. 717 with amendments. Without objection, House Bill No. 717 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Chaney, Edmonds, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

House Bill No. 1 by Representative Henry

Representative Henry presented House Bill No. 1, which provides for the ordinary operating expenses of state government for Fiscal Year 2016-2017.

Representative Henry offered a motion to allow staff to make technical changes House Bill No. 1. Without objection, House Bill No. 1 allow staff to make technical changes by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Chaney, Edmonds, Lance Harris, Leger, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

IV. OTHER BUSINESS

V. ANNOUNCEMENTS

VI. ADJOURNMENT

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

Respectfully submitted,

Chairman Cameron Henry
House Committee on Appropriations

Date adopted: