

House Committee on House and Governmental Affairs

Minutes of Meeting
2016 First Extraordinary Session
March 1, 2016

I. CALL TO ORDER

Representative Michael E. Danahay, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 10:09 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Michael E. Danahay, chairman
Representative Gary M. Carter, Jr.
Representative Patrick Connick
Representative Julie Emerson
Representative Jimmy Harris
Representative Dorothy Sue Hill
Representative Sam L. Jenkins, Jr.
Representative Gregory A. Miller
Representative Stephen E. Pugh, vice chairman
Representative John M. Schroder, Sr.
Representative Robert E. Shadoin

MEMBERS ABSENT:

Representative John C. "Jay" Morris, III

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Vivian Hurst, sergeant at arms

III. DISCUSSION OF LEGISLATION

(Discussion and action on House Resolution No. 1 was taken by the committee later in this meeting.)

IV. OTHER BUSINESS

Introductory remarks by the Chairman

Chairman Danahay introduced committee members and the committee staff.

Brief overview of committee subject matter jurisdiction and other pending business before the committee

Patricia Lowrey-Dufour, senior legislative analyst for the House Committee on House and Governmental Affairs, explained the committee's subject matter jurisdiction and other pending business that may come before the committee. She presented Exhibit A, a document entitled, "House Rules regarding subject matter jurisdiction of the Committee on House and Governmental Affairs", which is included in the committee records.

Discussion and adoption of committee rules and procedures for the new term

Chairman Danahay presented an update to the Rules of the House Committee on House and Governmental Affairs, Exhibit B, which is included in the committee records. Representative Connick offered a motion to adopt the committee rules. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Danahay, Gary Carter, Connick, Emerson, Harris, Hill, Jenkins, Gregory Miller, Pugh, and Shadoin voted yea.

Introductory presentation by the Department of State Civil Service and agencies within the department and discussion of any recommendation for proposed legislation

Department of State Civil Service

Byron Decoteau, Jr., state civil service, 1201 North Third Street, Baton Rouge, LA 70802, (225) 278-7258, provided a handout to the committee, Exhibit C, the 2014-2015 annual report and overview of the department, which is included in the committee records.

Representative Jenkins asked Mr. Decoteau why the number of classified employees has significantly declined over time. Mr. Decoteau said the chart that Representative Jenkins referred to showed the difference in the number of state classified employees versus the full-time equivalent. He said that two headcounts that may work part-time may equal one full-time equivalent. Mr. Decoteau explained that the classified workforce had declined approximately 36 percent over the last eight years.

Representative Jenkins asked Mr. Decoteau if the privatization of certain hospitals accounted for some of the decrease in numbers. Mr. Decoteau replied that there were some layoffs this year and the privatization of certain hospitals did have a negative effect on the numbers.

Representative Schroder asked Mr. Decoteau how many positions were vacant. Mr. Decoteau said he did not have that information. He said that state civil service was only responsible for the number of classified employees for filled positions; the office of planning and budget would know how many positions were vacant.

Representative Connick asked Mr. Decoteau if the current number of classified employees was 40,354. Mr. Decoteau replied that the current headcount for state classified employees was 38,536 and full-time equivalents were 37,119.

Representative Connick asked Mr. Decoteau how the number of state employees compared to other states. Mr. Decoteau stated that he did not have that information; however, the last time he checked, Louisiana was ranked number 13. Representative Connick asked why Louisiana had more public employees compared to other states. Mr. Decoteau replied that it depended on the makeup of the classified service, which differed from state to state.

Division of Administrative Law

Ann Wise, Division of Administrative Law, P.O. Box 44033, Baton Rouge, LA 70810, (225) 342-1800, provided a handout to the committee, Exhibit D, which explained the operation of the agency and the different types of cases heard by the division. The handout is included in the committee records.

Representative Carter asked Ms. Wise if the Division of Administrative Law handled workers' compensation cases. Ms. Wise replied that workers' compensation cases were handled by the Louisiana Workforce Commission.

Board of Ethics

Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, LA 70821, (225) 219-5600, provided an overview of the Louisiana Board of Ethics, its operations and functions, staff duties and responsibilities, and the laws that it administers.

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

Office of State Examiner

Robert S. Lawrence, office of state examiner, no witness card submitted, provided a PowerPoint presentation to the committee, Exhibit E, which was an overview of the agency and its operations and is included in the committee records.

Representative Connick asked Mr. Lawrence about the similarities between the office of state examiner and state civil service. Mr. Lawrence replied that the main similarity between the two agencies was that they both tested for public employment. Mr. Lawrence said state civil service operated under the constitution of 1974 Article X and the commission's rules; the office of state examiner and local municipal fire and police services operated under statutes.

Representative Connick asked Mr. Lawrence what the annual budget was for the office of state examiner. Mr. Lawrence replied \$2.2 million.

State Police Commission

Cathy Derbonne, Louisiana state police commission, P.O. Box 66555, Baton Rouge, LA 70896, (225) 925-7104, provided an overview of the Louisiana state police commission, its operations and functions, and the responsibilities of the agency.

(Action on House Resolution No. 1 continued from the beginning of this meeting.)

House Resolution No. 1 by Representative Reynolds

Representative Reynolds presented House Resolution No. 1, which prohibits a member from voting or changing a vote after the result of the vote has been announced.

Representative Shadoin offered a motion to voluntarily defer action on House Resolution No. 1. Without objection, action on House Resolution No. 1 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Danahay, Gary Carter, Connick, Emerson, Harris, Hill, Jenkins, Gregory Miller, Pugh, Schroder, and Shadoin voted yea.

Introductory presentation by the Department of State

Kyle Ardoin, office of the Louisiana secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, (225) 922-2880, provided a folder to the committee, Exhibit F, which included an overview of the duties, responsibilities, and functions carried out under each department within the agency with regards to elections and is included in the committee records.

Representative Carter asked Mr. Ardoin about the voter registration process and how close Louisiana was to having same-day registration and voting. Mr. Ardoin replied that Louisiana was not close to allowing same-day registration and voting because it would require many technology and system updates. Mr. Ardoin stated that a 30-day timeframe was in place so that the registrar of voters could produce the polling books prior to an election to ensure accuracy.

Representative Carter asked Mr. Ardoin when polling books were provided to precincts. Mr. Ardoin replied that polling books were delivered on the day of an election with the voting machines. Representative Carter asked Mr. Ardoin when polling books were printed. Mr. Ardoin replied that polling books were printed 30 days before the election.

Representative Carter expressed to Mr. Ardoin his concerns regarding the 30-day timeframe and the inability to implement the technology for same-day registration and voting. Mr. Ardoin said the secretary of state's office was making progress toward updating voting technology in Louisiana and would continue to make progress; however, funding was an issue. Representative Carter asked Mr. Ardoin if he knew how much other states paid to implement updated technology. Mr. Ardoin replied that it was not necessary to know how much other states paid because Louisiana's voting system was unique and one that other states tried to emulate. Mr. Ardoin stated that they did not have the full costs to implement the technology.

Brian J. Champagne, Registrar of Voters Association, P.O. Box 315, Hahnville, LA 70057, (985) 783-5120, introduced himself to the committee.

Discussion of recommendations of the State Board of Election Supervisors and miscellaneous suggestions for amendments to the Election Code

Kyle Ardoin, office of the Louisiana secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, (225) 922-2880, presented a handout entitled, "Annual Report of the State Board of Election Supervisors", Exhibit G, which is included in the committee records.

Merietta Norton, office of the Louisiana secretary of state, P.O. Box 94125, Baton Rouge, LA 70804-9125, (225) 922-0547, discussed Exhibit G.

Angie Rogers, Louisiana Department of State, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-0990, discussed Exhibit G.

Representative Miller asked Mr. Ardoin how to determine the chairman of each parish executive committee and if there was documentation to prove that someone was the chairman. Mr. Ardoin replied that they would require the minutes of the election of the chairman and other officers.

Representative Connick asked Ms. Rogers when was the deadline prior to reapportionment if parishes wanted to modify the precinct and would it be frozen for a period of time after redistricting. Ms. Rogers replied that the precincts were frozen between the 2009-2013 period, but there was an exception if they needed to be split for redistricting purposes.

Representative Connick asked when the next reapportionment would take place. Patricia Lowrey-Dufour, committee analyst, stated that committee staff expected to receive the block-level data from the Census Bureau in February 2021, as the state constitution requires that this process be completed before the end of 2020.

Representative Hill expressed to Mr. Ardoin the concerns she had with isolating rural communities and the elderly voters who were unable to travel to vote. Mr. Ardoin stated that there was a program for voters who were age 65 or older to receive an absentee ballot automatically before an election.

Representative Jenkins asked Ms. Rogers and Mr. Ardoin if multiple people wanted to fax an application for an absentee ballot or a mail-in ballot using the same fax machine, how would it work under proposed amendment or recommendation #15. Ms. Rogers said a family member was required to fax the application. Mr. Ardoin stated that in the past, registrars had received numerous requests for absentee ballots from the same fax machine in a candidates office. He said that if the registrar believed something was wrong, there would be an investigation as to the origin of the request and what fax machine was used.

Representative Shadoin asked Ms. Rogers if a recount occurred on the fifth day following an election. Ms. Rogers replied affirmatively and that 4:30 p.m. was a consistent deadline used for all deadlines in the code.

Representative Connick asked Ms. Rogers if the five days included weekends and holidays. Ms. Rogers replied that it was five calendar days after an election.

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

Emergency administrative rules by the Secretary of State

Kyle Ardoin, office of the Louisiana secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, (225) 922-2880, provided information on a handout entitled, "Declaration of Emergency", Exhibit H, which is included in the committee records.

Merietta Norton, office of the Louisiana secretary of state, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-0547, discussed Exhibit H.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Pugh offered a motion to adjourn. Without objection, the motion passed by a vote of 7 yeas and 0 nays. Representatives Danahay, Emerson, Harris, Hill, Jenkins, Gregory Miller, and Pugh voted yea.

The meeting was adjourned at 12:11 p.m.

Respectfully submitted,

Chairman
House Committee on House and Governmental Affairs

Date adopted:

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