

House Committee on Municipal, Parochial and Cultural Affairs

Minutes of Meeting
2016 Regular Session
April 21, 2016

I. CALL TO ORDER

Representative John A. Berthelot, chairman of the House Committee on Municipal, Parochial and Cultural Affairs, called the meeting to order at 9:00 a.m. in Room 6, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative John A. Berthelot, chairman
Representative Robert E. Billiot
Representative Joseph Bouie Jr.
Representative Paula P. Davis
Representative Stephen C. Dwight
Representative Rick Edmonds
Representative Cedric B. Glover
Representative Stephanie Hilferty
Representative Mike Huval, vice chairman
Representative Sam L. Jenkins Jr.
Representative Rodney Lyons
Representative C. Denise Marcelle
Representative Stephen E. Pugh
Representative Jerome Richard
Representative Patricia Haynes Smith
Representative Malinda B. White
Representative Thomas P. Willmott

MEMBERS ABSENT:

Representative Barbara M. Norton

STAFF MEMBERS PRESENT:

Tina Righteous, attorney
Katie LeLeux, attorney
Valarie Banks, secretary

ADDITIONAL ATTENDEES PRESENT:

William Belleu, clerk
Vivian Hurst, sergeant at arms
Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION

Senate Bill No. 28 by Senator Perry

At the request of Senator Perry, Representative Hensgens presented Senate Bill No. 28, which provides relative to the qualifications of the chief of police for the town of Gueydan.

Representative Huval offered a motion to report Senate Bill No. 28 favorably. Without objection, Senate Bill No. 28 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Edmonds, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, and Smith voted yea.

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. 1032 by Representative Steve Carter

Representative Steve Carter presented House Bill No. 1032, which creates the Cypress Point Crime Prevention and Improvement District in East Baton Rouge Parish.

Nick Felton, 3520 General De Gaulle Drive, New Orleans, LA, (504) 450-6679, spoke in support of House Bill No. 1032.

Representative Marcelle offered a motion to report House Bill No. 1032 favorably. Without objection, House Bill No. 1032 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Edmonds, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, and Smith voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

Senate Bill No. 261 by Senator Luneau

Senator Luneau presented Senate Bill No. 261, which authorizes two or more parishes to create a game and fish preserve when the preserve is located in multiple parishes.

Representative Huval offered a motion to report Senate Bill No. 261 favorably. Without objection, Senate Bill No. 261 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, and Smith voted yea.

Senate Bill No. 32 by Senator Boudreaux

At the request of Senator Boudreaux, Representative Emerson presented Senate Bill No. 32, which authorizes the city of Carencro to levy a sales and use tax. She submitted Resolution 2016-004 from the Carencro City Council (Exhibit A) in support of Senate Bill No. 32.

Representative Huval offered a motion to report Senate Bill No. 32 favorably. Without objection, Senate Bill No. 32 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Smith, and White voted yea.

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

Senate Bill No. 110 by Senator Ward

Senator Ward presented Senate Bill No. 110, which re-creates the Department of Culture, Recreation and Tourism.

Rennie Buras, II, representing the Department of Culture, Recreation and Tourism, 1051 North 3rd Street, Baton Rouge, LA, (504) 296-5091, spoke to provide information on Senate Bill No. 110.

Representative Edmonds offered a motion to report Senate Bill No. 110 favorably. Without objection, Senate Bill No. 110 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Smith, and White voted yea.

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. 63 by Senator Walsworth

At the request of Senator Walsworth, Joe R. Salter, representing the office of the secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, (225) 831-1209, presented Senate Bill No. 63, which removes the Chennault Aviation and Military Museum from the jurisdiction of the Department of State.

Representative Huval offered a motion to report Senate Bill No. 63 favorably. Without objection, Senate Bill No. 63 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Smith, White, and Willmott voted yea.

House Bill No. 125 by Representative Smith

Representative Smith presented House Bill No. 125, which provides relative to incorporation petitions.

Representative Smith offered a motion to adopt a substitute to House Bill No. 125. Without objection, the substitute to House Bill No. 125 was adopted by a vote of 17 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

Representative Marcelle offered amendments to the substitute bill that require the registrar of voters in certain areas to transmit to the chairperson and the secretary of state by mail or electronically the number of electors residing in the area proposed for incorporation within 10 business days of the date of notice. Representative Smith offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Smith, White, and Willmott voted yea.

John Gallagher, representing the Louisiana Municipal Association, 700 North 10th Street, Baton Rouge, LA, (225) 344-5001, spoke to provide information on House Bill No. 125.

Representative Marcelle offered a motion to report House Bill No. 125 by substitute. Without objection, House Bill No. 125 was reported by substitute by a vote of 17 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support; and 1 to provide information, if requested. Witness cards are included in the committee records.

Senate Bill No. 235 by Senator Carter

Senator Carter presented Senate Bill No. 235, which provides relative to the status of private entities that contract with the Algiers Development District.

Representative Bouie offered amendments to restore present law relative to the status of private entities that contract with the district. Representative Bouie offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays.

Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

Representative Richard offered a motion to report Senate Bill No. 235 with amendments. Without objection, Senate Bill No. 235 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

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. 139 by Senator Riser

Senator Riser presented Senate Bill No. 139, which removes the Schepis Museum from the jurisdiction of the Department of State.

Representative Huval offered a motion to report Senate Bill No. 139 favorably. Without objection, Senate Bill No. 139 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

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. 731 by Representative Marcelle

Representative Marcelle presented House Bill No. 731, which creates the Capital Heights Crime Prevention and Improvement District in East Baton Rouge Parish.

Representative Marcelle offered amendments to provide that the fee on unimproved parcels is 50% of the improved parcel fee; reduce the amount of the fee imposed on parcels that qualify for a special assessment from 50% of the current fee to 25% of the improved parcel fee; relative to the board's authority to annually increase the fee, change the maximum increase from 10% to 20%; and provide that if the district ceases to exist, all district funds shall be transmitted to the city-parish to be used for law enforcement purposes in the area which comprised the district. Representative Marcelle offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

Representative Lyons offered a motion to report House Bill No. 731 with amendments. Without objection, House Bill No. 731 was reported with amendments by a vote of 17 yeas and 0 nays.

Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, Smith, White, and Willmott voted yea.

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. 192 by Representative Hollis

Representative Hollis presented House Bill No. 192, which prohibits local ordinances regulating certain containers and bags.

Representative Huval offered amendments to authorize local governmental subdivisions to regulate or restrict the use of such items subject to voter approval. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Hilferty, Huval, Jenkins, Lyons, Pugh, Richard, Smith, White, and Willmott voted yea.

Dawn Starns, representing the National Federation of Independent Businesses, 530 Lakeland, Baton Rouge, LA, (225) 218-6947, spoke in support of House Bill No. 192.

Brian Trascher, representing American Progressive Bag Alliance, 2400 North Causeway Boulevard, Suite 1200, Metairie, LA, (504) 645-5781, submitted information (Exhibit B) and spoke in support of House Bill No. 192.

Bill Ebeck, representing Advance Polybag, Airline Drive, Kenner, LA, (281) 744-1433, submitted information (Exhibit C) and spoke in support of House Bill No. 192.

Buck Vandersteen, representing the Louisiana Forestry Association, Alexandria, LA, (318) 443-2558, spoke in support of House Bill No. 192.

Max Ciolino, representing Louisiana Reusable Bag Alliance, 812 Gravier Street, New Orleans, LA 70112, (504) 495-2254, spoke in opposition to House Bill No. 192.

Jane Patton, representing Louisiana Reusable Bag Alliance, 4109 Danneel Street #3, New Orleans, LA 70115, (225) 266-5534, spoke in opposition to House Bill No. 192.

Haywood Martin, representing the Sierra Club, P.O. Box 52503, Lafayette, LA 70506, (337) 298-8380, spoke in opposition to House Bill No. 192.

Stacey Pfingsten, 828 Cay Park Avenue, New Orleans, LA, (504) 579-2489, spoke in opposition to House Bill No. 192.

Vanessa Spinazola, representing New Orleans City Council District A, 1300 Perdido Street, Room 2WS0, New Orleans, LA, (504) 658-1013, spoke in opposition to House Bill No. 192.

Rhonda Ardoin, representing Bayou Paddle Sports, 2217 Columbus Street, New Orleans, LA 70119, (504) 352-4839, spoke in opposition to House Bill No. 192.

Rodney Braxton, representing the City of New Orleans, 543 Spanish Town Road, Baton Rouge, LA, (225) 381-0166, spoke in opposition to House Bill No. 192.

John Gallagher, representing the Louisiana Municipal Association, 700 North 10th Street, Baton Rouge, LA, (225) 344-5001, spoke in opposition to House Bill No. 192.

Representative Huval offered a motion to voluntarily defer action on House Bill No. 192. Without objection, action on House Bill No. 192 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, White, and Willmott voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, and 5 in opposition. Witness cards are included in the committee records.

House Bill No. 1073 by Representative Robert Johnson

House Bill No. 1073 authorizes Avoyelles Parish to appoint game and fish commissions.

Representative Huval offered a motion to voluntarily defer action on House Bill No. 1073. Without objection, action on House Bill No. 1073 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, White, and Willmott voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 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 Edmonds offered a motion to adjourn. Without objection, the motion to adjourn passed by a vote of 15 yeas and 0 nays. Representatives Berthelot, Billiot, Bouie, Davis, Dwight, Edmonds, Glover, Huval, Jenkins, Lyons, Marcelle, Pugh, Richard, White, and Willmott voted yea.

The meeting was adjourned at 11:16 a.m.

Respectfully submitted,

Chairman John A. Berthelot
House Committee on Municipal, Parochial and Cultural Affairs

Date adopted: May 24, 2017