

House Committee on House and Governmental Affairs

Minutes of Meeting
2017 Regular Session
May 17, 2017

I. CALL TO ORDER

Representative Michael E. Danahay, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:31 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 Lance Harris
Representative Dorothy Sue Hill
Representative Barry Ivey
Representative Sam L. Jenkins, Jr.
Representative Gregory A. Miller
Representative John C. "Jay" Morris, III
Representative Stephen E. Pugh, vice chairman
Representative John M. Schroder, Sr.
Representative Robert E. Shadoin

MEMBERS ABSENT:

Representative Jimmy Harris

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Vivian Hurst, sergeant at arms
Hannah Gale, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 279 by Representative Jordan

Representative Jordan presented House Bill No. 279, which prohibits interference with the recording of public officials and employees acting in an official capacity, with certain exceptions.

Action on the bill had been voluntarily deferred at the committee's May 2, 2017, meeting following substantive discussion.

Representative Gary Carter offered amendments to delete the monetary penalties and enforcement provisions. Representative Gary Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, and Shadoin voted yea.

Representative Gary Carter offered amendments to allow the owner of a recording device containing evidence of a crime to make and retain a copy of the recording prior to seizure of the device. Representative Gary Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, and Shadoin voted yea.

Representative Danahay offered amendments to add language governing the use of a recording device. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, and Shadoin voted yea.

Representative Gary Carter offered amendments relative to infringement on constitutional rights. Representative Gary Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, and Shadoin voted yea.

Michael Ranatza, executive director, Louisiana Sheriffs' Association, 1175 Nicholson Drive, Baton Rouge, LA 70802, 225-343-8402, spoke for information only on House Bill No. 279.

Hugo Holland, LDAA, 1645 Nicholson, Baton Rouge, LA, 70802, 225-343-0171, spoke for information only on House Bill No. 279.

Capt. Greg Graphia, Louisiana State Police, 7919 Independence Blvd., Baton Rouge, LA 70806, 225-925-4236, spoke for information only on House Bill No. 279.

Representative Schroder offered a motion to involuntarily defer action on House Bill No. 279. Without objection, action on House Bill No. 279 was involuntarily deferred by a vote of 10 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 2 for information only.

House Bill No. 383 by Representative Billiot

Representative Billiot presented House Bill No. 383, which allows a former member of the board of commissioners of a fire protection district to contract with, be employed by, or be appointed to a position by the board of commissioners after a period of six months after termination of his service.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 383. Without objection, action on House Bill No. 383 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition.

House Bill No. 436 by Representative Talbot

Representative Talbot presented House Bill No. 436, which requires drug manufacturers to provide information regarding prescription drug prices.

Representative Schroder offered a motion to adopt amendments that would delete the public records exception and the remainder of provisions in the bill, with the exception of definitions.

Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Pete Martinez, PhRMA, 830 North Street, Suite B, Baton Rouge, LA 70802, 225-379-3232, spoke in opposition to House Bill No. 436.

Representative Lance Harris offered a motion to report House Bill No. 436 with amendments, to which Representative Shadoin objected. The secretary called the roll, and the motion failed to pass by a vote of 4 yeas and 7 nays. Representatives Danahay, Lance Harris, Gregory Miller, and Jay Morris voted yea. Representatives Gary Carter, Hill, Ivey, Jenkins, Pugh, Schroder, and Shadoin voted nay.

Representative Danahay offered a motion to involuntarily defer action on House Bill No. 436. Without objection, action on House Bill No. 436 was involuntarily deferred by a vote of 11 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 15 in opposition.

House Bill No. 506 by Representative Jefferson

Representative Jefferson presented House Bill No. 506, which provides relative to juvenile records and proceedings.

Representative Danahay offered technical amendments. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Gary Carter, Danahay, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Representative Jenkins offered a motion to report House Bill No. 506 with amendments. Without objection, House Bill No. 506 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Gary Carter, Danahay, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 1 for information only.

House Bill No. 554 by Representative Schroder

Representative Schroder presented House Bill No. 554, which provides relative to public procurement methods.

Representative Danahay offered amendments to (1) remove provisions authorizing a municipality, local government affiliate of the Louisiana Municipal Association (LMA), or a parish from purchasing materials, equipment, and supplies through the LMA; (2) to remove the term "qualified" from the description of the group purchasing the organization; (3) to remove provisions that price lists submitted pursuant to proposed law are generally not public records and to provide instead that such price lists and agreements entered into are public records; (4) to remove the definitions of "Louisiana Municipal Association" and "Louisiana Municipal Advisory and Technical Services Bureau"; (5) to remove the requirement that the Louisiana Police Jury Association endorse a cooperative agreement for a parish to purchase materials, equipment, and supplies through the Louisiana Municipal Advisory and Technical Services Bureau; (6) relative to purchases of materials, supplies, and equipment valued at less than \$30,000 by a political subdivision using a reverse auction, to require advertisement in both the newspaper and on the Louisiana Procurement and

Contract Network instead of advertisement in one or the other; and (7) to add provisions that a newspaper advertisement may contain a general description of the materials, supplies, or equipment sought and may make reference to a full description of the same that is publicly accessible via electronic means.

Karen White, LMA, 700 North 10th Street, Baton Rouge, LA 70802, 225-344-5001, spoke in support of the amendments.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Representative Schroder offered a motion to report House Bill No. 554 with amendments, to which Representative Jay Morris objected and offered a substitute motion to voluntarily defer action on the bill.

Representative Jay Morris subsequently withdrew his objection and the substitute motion.

Representative Schroder's original motion to report House Bill No. 554 with amendments was considered. Without objection, House Bill No. 554 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support.

House Resolution No. 74 by Representative Henry

On behalf of the author, Representative Schroder presented House Resolution No. 74, which requires legislative instruments with a fiscal cost of \$100,000 or more to be recommitted to the House Committee on Appropriations.

Representative Danahay offered amendments to add an effective date of June 9, 2017.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, Schroder, and Shadoin voted yea.

Representative Gary Carter offered a motion to report House Resolution No. 74 with amendments, to which Representative Shadoin objected. The secretary called the roll, and House Resolution No. 74 was reported with amendments by a vote of 6 yeas and 4 nays. Representatives Gary Carter, Lance Harris, Gregory Miller, Jay Morris, Pugh, and Schroder voted yea. Representatives Danahay, Hill, Jenkins, and Shadoin voted nay.

Senate Bill No. 116 by Senator Mills

Senator Mills presented Senate Bill No. 116, which provides for the Work Out Now: WON Louisiana Legislative Commission to address the obesity crisis at the local level.

Representative Schroder offered amendments to remove provisions allowing hearings outside the state capitol with notice of the hearing to all area legislators and to limit the commission to meeting only during a legislative session at the state capitol. Representative Schroder offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Jenkins, Pugh, Schroder, and Shadoin voted yea.

Representative Danahay offered a motion to report Senate Bill No. 116 with amendments. Without objection, Senate Bill No. 116 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Jenkins, Pugh, Schroder, and Shadoin voted yea.

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

Senate Bill No. 230 by Senator LaFleur

On behalf of Senator LaFleur, Kyle Ardoin, first assistant secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, 225-922-2880, presented Senate Bill No. 230, which removes certain museums from the jurisdiction of the Department of State.

Representative Shadoin offered a motion to report Senate Bill No. 230 favorably. Without objection, Senate Bill No. 230 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Danahay, Lance Harris, Hill, Jenkins, Pugh, Schroder, and Shadoin voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS


Representative Danahay welcomed a group of young women from Thrive Academy.

VI. ADJOURNMENT

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

The meeting was adjourned at 12:27 p.m.

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, enclosed within a large, irregular oval shape.

Vice Chairman Royce Duplessis
House Committee on House and Governmental Affairs

Date adopted: October 7, 2020

The committee has acknowledged on October 7, 2020, that these minutes were prepared in accordance with the rules of the House of Representatives.