

House Committee on Appropriations

Minutes of Meeting
2018 Regular Session
April 23, 2018

I. CALL TO ORDER

Representative Franklin J. Foil, Vice Chairman of the House Committee on Appropriations, called the meeting to order at 9:37 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 Rick Edmonds
Representative Franklin J. Foil, Vice Chairman
Representative Lance Harris
Representative Bob Hensgens
Representative Valarie Hodges
Representative Walt Leger, III
Representative Jack G. McFarland
Representative Blake Miguez
Representative Dustin Miller
Representative Jerome Richard
Representative Scott M. Simon
Representative Patricia Haynes Smith
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative James K. Armes, III
Representative Charles R. Chaney
Representative Reid Falconer

Representative Steve E. Pylant

STAFF MEMBERS PRESENT:

Ms. Katie Address, Secretary

Mr. Peter G. E. Conroy, Legislative Analyst

ADDITIONAL ATTENDEES PRESENT:

Ms. Vivian Hurst, Sergeant at Arms

Ms. Faye Talbot, Sergeant at Arms

III. DISCUSSION OF LEGISLATION

House Concurrent Resolution No. 6 by Representative Barras

Representative Barras presented House Concurrent Resolution No. 6, which provides for a hospital stabilization formula.

Representative Foil offered amendments relative to hospital reimbursement rates payable by the Louisiana Department of Health for dates of service on or after Jan. 1, 2019, and to change the payable rate from the outpatient reimbursement rates which were in effect on June 30, 2009, to those rates in effect on September 20, 2009. Representative Foil offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Richard, Simon, Smith, and Zeringue voted yea.

Representative Foil offered an amendment which provided that no licensed facility which is prohibited from participating in the Medicare Program shall be assessed or levied any fee for hospital stabilization. After discussion, Representative Foil withdrew the amendment.

Ms. Jennifer McMahon, Louisiana Hospital Association, 9521 Brookline Avenue, Baton Rouge, LA 70809, (225) 892-8383, spoke in support of House Concurrent Resolution No. 6.

Mr. Kirk Long, Chief Executive Office of Crescent City Surgical Centre, 3017 Galleria Drive, Metairie, LA 70001, (504) 390-6245, spoke in support of House Concurrent Resolution No. 6.

Mr. W. Jeff Reynolds, Undersecretary, Louisiana Department of Health, P.O. Box 3797, Baton Rouge, LA 70821, (225) 342-6726, spoke for information only on House Concurrent Resolution No. 6.

Representative Henry in the chair.

Representative Foil offered a motion to report House Concurrent Resolution No. 6 with amendments. Without objection, House Concurrent Resolution No. 6 was reported with amendments by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Leger, McFarland, Miguez, Dustin Miller, Richard, Smith, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

House Bill No. 510 by Representative Barras

Representative Barras presented House Bill No. 510, which establishes the Louisiana Checkbook website to provide transparency of state fiscal information.

Representative Henry offered a motion to report House Bill No. 510 favorably. Without objection, House Bill No. 510 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Lance Harris, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 17 in support and 4 for information only. Witness cards are included in the committee records.

House Bill No. 530 by Representative Barras

Representative Barras presented House Bill No. 530, which provides for changes in the expenditure limit calculation.

Representative Henry offered a motion to voluntarily defer action on House Bill No. 530. Without objection, action on House Bill No. 530 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Lance Harris, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 540 by Representative Barras

Representative Barras presented House Bill No. 540, a constitutional amendment, which provides for changes to the expenditure limit calculation.

Representative Henry offered a motion to voluntarily defer action on House Bill No. 540. Without objection, action on House Bill No. 540 was voluntarily deferred by a vote of 16 yeas and 0 nays.

Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Lance Harris, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 513 by Representative Steve Carter

Representative Steve Carter presented House Bill No. 513, which requires a portion of the monies in the Unclaimed Property Leverage Fund to be dedicated to the Louisiana Early Childhood Education Fund, and provided a handout, Exhibit A, which is included in the committee records.

Representative Leger offered an amendment which changes the dedication from \$10 million each year in perpetuity to a four year dedication (FY19 through FY22) of \$10 million per year. Representative Leger offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, Smith, and Zeringue voted yea.

Representative Leger offered a motion to report House Bill No. 513 with amendments. Without objection, House Bill No. 513 was reported with amendments by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, Smith, and Zeringue voted yea.

A handout, Exhibit B, was distributed, but not discussed. The handout is included in the committee records.

Witness cards submitted by individuals who did not speak are as follows: 29 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 500 by Representative Abramson

On behalf of Representative Abramson, Representative Foil presented House Bill No. 500, which provides for calling a limited constitutional convention and preparations therefor.

Representative Foil offered amendments which: (1) add to the scope of the convention all of the provisions in Article VI, all of the provisions in Article X, specified provisions of Article XII, and all provisions in the constitution concerning revenue or a fund, subfund, account, or other designation of funds; (2) remove provisions for the Evaluation and Drafting Committee and for such members to serve as delegates to the convention, including provisions for a study by an Evaluation and Drafting Committee to determine if a convention is needed and, if so, a report to include a

convention plan and a proposed constitution. However, provides for the same membership to be advisory members to the convention in a limited capacity if requested by the convention and subject to the rules of the convention; (3) change the make-up of the delegates to the convention from 132 delegates, including the 27 members of the Evaluation and Drafting Committee and 105 delegates elected from the House of Representatives districts, to 117 delegates selected by electing three delegates from each senate district; (4) remove provisions for alternative proposals; (5) remove provisions for legislative staff to prepare a draft of rules of procedure for consideration by the convention based upon the rules of the convention convened in 1973; and (6) require the proposed draft to be submitted to the presiding officers of the legislature and require the presiding officers to post the proposed draft on the legislative website within 24 hours of receipt. Representative Foil 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, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Hensgens, Leger, McFarland, Miguez, Dustin Miller, Richard, Smith, and Zeringue voted yea.

Representative Henry offered an amendment to add specific severability provisions regarding elements of the proposed constitution. Representative Henry offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Foil, Hodges, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, Smith, and Zeringue voted yea.

Representative Gary Carter offered a motion to report House Bill No. 500 with amendments. Without objection, House Bill No. 500 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Foil, Hodges, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, Smith, and Zeringue voted yea.

A handout, Exhibit C, was distributed, but not discussed. The handout is included in the committee records.

Witness cards submitted by individuals who did not speak are as follows: 22 in support, 8 in opposition, and 3 for information only. Witness cards are included in the committee records.

House Bill No. 71 by Representative Pugh

Representative Pugh presented House Bill No. 71, which provides for deposits into the Tangipahoa Parish Tourist Commission Fund and the Tangipahoa Parish Economic Development Fund.

Representative Berthelot offered a motion to report House Bill No. 71 favorably. Without objection, House Bill No. 71 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Berthelot, Billiot, Gary Carter, Foil, Hensgens, Hodges, Leger, McFarland, Miguez, Dustin Miller, Richard, Simon, Smith, and Zeringue 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. 650 by Representative Foil

Representative Foil presented House Bill No. 650, which creates a program for education savings accounts for tuition expenses for elementary and secondary schools.

Representative Foil offered amendments which: (1) add a transitional provision allowing funds deposited to a START account prior to Jan. 1, 2018, to be disbursed in 2018 for K-12 tuition, limited to \$10,000 per beneficiary; and (2) add exception to the confidentiality of Dept. of Revenue records for purposes of determining eligibility for participation in START K12 program. Representative Foil offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Leger, Miguez, Dustin Miller, Richard, Smith, and Zeringue voted yea.

Representative Foil offered a motion to report House Bill No. 650 with amendments. Without objection, House Bill No. 650 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Leger, Miguez, Dustin Miller, Richard, Smith, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

House Bill No. 309 by Representative Gary Carter

Representative Gary Carter presented House Bill No. 309, a constitutional amendment, which allows for the use of the Budget Stabilization Fund for the state costs associated with a declared disaster.

Representative Gary Carter offered a motion to report House Bill No. 309 favorably. Without objection, House Bill No. 309 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

House Bill No. 316 by Representative Gary Carter

Representative Gary Carter presented House Bill No. 316, which allows for the use of the Budget Stabilization Fund for the state costs associated with a declared disaster.

Representative Gary Carter offered a technical amendment. Representative Gary Carter offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

Representative Gary Carter offered a motion to report House Bill No. 316 with amendments. Without objection, House Bill No. 316 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

House Bill No. 743 by Representative Henry

Representative Henry presented House Bill No. 743, which provides for Revenue Sharing Distribution for Fiscal Year 2018-2019.

Representative Henry offered amendments to add revenue distribution to the parishes. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

Representative Henry offered a motion to report House Bill No. 743 with amendments. Without objection, House Bill No. 743 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hensgens, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

House Bill No. 345 by Representative Henry

Representative Henry presented House Bill No. 345, which prohibits the use of the Conservation Fund for any building acquisition unless the acquisition is approved by the Joint Legislative Committee on the Budget.

Representative Miguez offered a motion to report House Bill No. 345 favorably. Without objection, House Bill No. 345 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

House Bill No. 321 by Representative Edmonds

On behalf of Representative Edmonds, Representative Bacala presented House Bill No. 321, which requires the reporting of positions and funding to the Joint Legislative Committee on the Budget.

Representative Bacala offered a motion to report House Bill No. 321 favorably. Without objection, House Bill No. 321 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

House Bill No. 697 by Representative Hodges

Representative Hodges presented House Bill No. 697, which establishes the Comite River Diversion Canal Fund as a special fund within the state treasury and dedicates proceeds of state sales of unclaimed noncash assets to the fund.

Representative Hodges offered a motion to voluntarily defer action on House Bill No. 697. Without objection, action on House Bill No. 697 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Richard, and Zeringue voted yea.

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

House Bill No. 779 by Representative Hodges

Representative Hodges presented House Bill No. 779, which establishes a temporary dedication of a portion of certain revenues available under the Uniform Unclaimed Property Act for purposes of the Comite River Diversion Canal project.

Representative Hodges offered a motion to voluntarily defer action on House Bill No. 779. Without objection, action on House Bill No. 779 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Richard, and Zeringue voted yea.

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

House Bill No. 144 by Representative Abraham

Representative Abraham presented House Bill No. 144, which creates the Louisiana Jobs Now Fund for the purpose of funding postsecondary education degree and certificate production in high-demand fields.

Representative Henry offered technical amendments. Representative Henry offered a motion to adopt the proposed amendments.

Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

Representative Henry offered amendments which: (1) provide that appropriations shall be to the Board of Regents for distribution to the postsecondary education boards and members of the LAICU rather than directly to the boards and LAICU members; and (2) add the Commissioner of Higher Education to individuals reviewing and approving the distribution method. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

Representative Henry offered a motion to report House Bill No. 144 with amendments. Without objection, House Bill No. 144 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

House Bill No. 380 by Representative Jackson

Representative Henry offered a motion to voluntarily defer action on House Bill No. 380, which creates an individual income tax checkoff for the Uninsured Medical Catastrophe Donation and dedicates the monies to the Uninsured Medical Catastrophe Fund. Without objection, action on House Bill No. 380 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Berthelot offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Foil, Lance Harris, Hodges, Miguez, Dustin Miller, Richard, and Zeringue voted yea.

The meeting was adjourned at 11:31 a.m.

Respectfully submitted,

Chairman Cameron Henry
House Committee on Appropriations