

## **House Committee on Appropriations**

Minutes of Meeting  
2018 Regular Session  
May 7, 2018

### **I. CALL TO ORDER**

Representative Cameron Henry, Chairman of the House Committee on Appropriations, called the meeting to order at 9:57 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 Charles R. Chaney  
Representative Rick Edmonds  
Representative Reid Falconer  
Representative Lance Harris  
Representative Bob Hensgens  
Representative Valarie Hodges  
Representative Jack G. McFarland  
Representative Blake Miguez  
Representative Scott M. Simon  
Representative Patricia Haynes Smith  
Representative Jerome "Zee" Zeringue

#### **MEMBERS ABSENT:**

Representative James K. Armes, III  
Representative Gary M. Carter, Jr.  
Representative Franklin J. Foil, Vice Chairman  
Representative Walt Leger, III  
Representative Dustin Miller  
Representative Steve E. Pylant

Representative Jerome Richard

**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 Bill No. 161 by Representative Garofalo**

Representative Garofalo presented House Bill No. 161, which provides, under specified circumstances, for repayment of a Taylor Opportunity Program for Students (TOPS) award.

Representative Henry offered a motion to voluntarily defer action on House Bill No. 161. Without objection, action on House Bill No. 161 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Henry, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Hensgens, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in opposition. Witness cards are included in the committee records.

**House Bill No. 844 by Representative Garofalo**

Representative Garofalo presented House Bill No. 844, which provides relative to the indemnification of clerks of court and their employees.

Ms. Debbie Hudnall, Executive Director of the La. Clerks of Court Association, 10202 Jefferson Highway, Bldg. A, Baton Rouge, LA 70809, (225) 293-1162, spoke in support of House Bill No. 844 and provided a handout, Exhibit A, which is included in the committee records.

Representative Smith offered a motion to report House Bill No. 844 favorably. Without objection, House Bill No. 844 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Hensgens, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

**House Bill No. 142 by Representative Lyons**

Representative Lyons presented House Bill No. 142, which increases the waste tire disposal fee applicable to passenger and light truck tires.

Representative Miguez offered amendments to sunset the fee increase per passenger/light truck/small farm service tire on July 31, 2022. Representative Miguez also 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, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

Dr. Chuck Carr Brown, Secretary, Department of Economic Development, P.O. Box 4301, Baton Rouge, LA 70821, (225) 219-3950, spoke for information only on House Bill No. 142.

Representative Smith offered a motion to report House Bill No. 142 with amendments. Without objection, House Bill No. 142 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

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

**House Bill No. 478 by Representative Bacala**

Representative Bacala presented House Bill No. 478, which dedicates a portion of the state sales and use taxes on sales of motor vehicles for transportation projects based on a cost-benefit analysis.

Representative Bacala offered amendments to change the oversight committee from the Joint Highway Priority Construction Committee to the Joint Committee on Transportation, Highways, and Public Works. Representative Bacala 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, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

Representative Bacala offered amendments to change the dates for submission of guidelines and lists of recommended projects to the oversight committee. Representative Bacala also 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, Abraham, Amedée, Bacala, Bagley, Berthelot, Chaney, Edmonds, Falconer, Harris, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

Dr. Shawn Wilson, Secretary, Department of Transportation and Development, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only on House Bill No. 478.

Mr. Alan Boxberger, General Government Section Director, Legislative Fiscal Office, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-7233, spoke for information only on House Bill No. 478.

Representative Bacala offered a motion to report House Bill No. 478 with amendments. Without objection, House Bill No. 478 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, McFarland, Miguez, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 1 in opposition. Witness cards are included in the committee records.

#### **House Bill No. 873 by Representative Hilferty**

Representative Hilferty presented House Bill No. 873, which dedicates any new revenue realized as a result of the enactment of legislation relative to sports betting and other forms of gaming to the La. Early Childhood Education Fund.

Representative Henry offered a motion to voluntarily defer action on House Bill No. 873. Without objection, action on House Bill No. 873 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, McFarland, Miguez, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 for information only. Witness cards are included in the committee records.

#### **House Bill No. 590 by Representative Edmonds**

Representative Edmonds presented House Bill No. 590, which creates the Efficient Government Act and provides for the Council on Efficient Government and its powers and duties.

Representative Edmonds offered a motion to report House Bill No. 590 favorably. Without objection, House Bill No. 590 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea.

#### **House Bill No. 538 by Representative Dwight**

Representative Dwight presented House Bill No. 538, which provides for a magistrate judge in the 14<sup>th</sup> JDC.

Representative Henry offered amendments to eliminate duplicative language in the bill. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea.

Judge David A. Ritchie, 14<sup>th</sup> JDC, 1001 Lakeshore Drive, Lake Charles, LA 70601, (337) 540-1807, spoke in support of House Bill No. 538.

Representative Miguez offered a motion to report House Bill No. 538 with amendments. Without objection, House Bill No. 538 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea.

#### **House Bill No. 772 by Representative Amedée**

Representative Amedée presented House Bill No. 772, which provides for an appropriation to the account of the Lafourche Parish School Board for Fiscal Year 2017-2018.

Representative Amedée offered a motion to voluntarily defer action on House Bill No. 772. Without objection, action on House Bill No. 772 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Lance Harris, Hensgens, McFarland, Miguez, Simon, Smith, and Zeringue voted yea.

#### **House Bill No. 689 by Representative Stokes**

Representative Stokes presented House Bill No. 689, which provides for coverage for fertility preservation for individuals diagnosed with cancer.

Mr. Zachary Rau, Fiscal Analyst, Legislative Fiscal Office, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-7233, spoke for information only on House Bill No. 689.

Ms. Kate Yglasias Houghton, President and Chief Executive Officer of Critical Mass: The Young Adult Cancer Alliance, 80 M Street SE, Washington, DC 20003, (305) 299-0856, spoke in support of House Bill No. 689 and provided a handout, Exhibit B, which is included in the committee records.

Mr. Jeff Drozda, Louisiana Association of Health Plans, 450 Laurel Street, Suite 1850, Baton Rouge, LA 70801, (225) 378-3206, spoke in opposition to House Bill No. 689.

Representative Smith offered a motion to report House Bill No. 689 with amendments, to which Representative Miguez objected.

The secretary called the roll, and the motion failed to pass by a vote of 5 yeas and 13 nays. Representatives Henry, Billiot, Harris, Smith, and Zeringue voted yea. Representatives Abraham, Amedée, Bacala, Bagley, Berthelot, Chaney, Edmonds, Falconer, Hensgens, Hodges, McFarland, Miguez, and Simon voted nay.

Witness cards submitted by individuals who did not speak are as follows: 6 in opposition and 1 for information only. Witness cards are included in the committee records.

### **Senate Bill No. 400 by Senator Hewitt**

Senator Hewitt presented Senate Bill No. 400, which provides for certain funds in the state treasury and the powers, duties, functions, and responsibilities of the Dedicated Fund Review Subcommittee of the Joint Legislative Committee on the Budget.

Representative Chaney offered amendments which: (1) abolish the New Orleans Urban Tourism and Hospitality Training in Economic Development Fund and Higher Education Initiatives Fund; (2) change the Proprietary School Student Protection Fund to the Proprietary School Student Protection Account; (3) change the Office of Workers Compensation Administration Fund to the Office of Worker's Compensation Administration Account; and (4) eliminate the requirement that the subcommittee on statutory dedications meet only on the day that the Joint Legislative Committee on the Budget meets. Representative Chaney 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, Abraham, Amedée, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Harris, Hensgens, Hodges, McFarland, Simon, and Zeringue voted yea.

Representative Chaney offered amendments to restore the Medicaid Trust Fund for the Elderly. Representative Chaney also offered a motion to adopt the proposed amendments, to which Representative Edmonds objected. The secretary called the roll, and the amendments were adopted by a vote of 11 yeas and 4 nays. Representatives Henry, Abraham, Bagley, Billiot, Chaney, Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea. Representatives Bacala, Edmonds, Falconer, and Simon voted nay.

Representative McFarland offered amendments to remove the conversion of the Environmental Trust Fund to the Environmental Trust Account. Representative McFarland also offered a motion to adopt the proposed amendments, to which Representative Edmonds objected. The secretary called the roll, and the motion failed to pass by a vote of 6 yeas and 9 nays. Representatives Henry, Chaney, Harris, Hensgens, McFarland, and Zeringue voted yea. Representatives Abraham, Bacala, Berthelot, Billiot, Edmonds, Falconer, Hodges, Miguez, and Simon voted nay.

Representative McFarland offered amendments to remove the Pesticide Fund from funds converted to accounts. Representative McFarland also offered a motion to adopt the proposed amendments, to which Representative Edmonds objected.

The secretary called the roll, and the amendments were adopted by a vote of 11 yeas and 3 nays. Representatives Henry, Abraham, Bacala, Berthelot, Chaney, Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea. Representatives Billiot, Edmonds, and Falconer voted nay.

Mr. Mark Berger, Louisiana Nursing Home Association, 7844 Office Park Blvd., Baton Rouge, LA 70809, (225) 927-5642, spoke in opposition to Senate Bill No. 400 and provided a handout, Exhibit D, which is included in the committee records.

Mr. Brian Landry, Vice President of Political Affairs, Louisiana Chemical Association, One American Place, Ste. 2040, Baton Rouge, LA 70825, (225) 205-7555, spoke in opposition to Senate Bill No. 400.

Ms. Laura Lapeze, Chief Financial Officer, Department of Treasury, 900 North Third Street, Third Floor, State Capitol Bldg., Baton Rouge, LA 70801, (225) 342-0051, spoke for information only on Senate Bill No. 400.

Mr. Clark Gradney, Senior Budget Analyst, Senate Fiscal Services Division, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-8895, spoke for information only on Senate Bill No. 400 and provided a handout, Exhibit C, which is included in the committee records.

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 Senate Bill No. 400.

Mr. Alan Boxberger, General Government Section Director, Legislative Fiscal Office, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-7233, spoke for information only on Senate Bill No. 400.

Ms. Karen Andrews, Undersecretary, Department of Environmental Quality, P.O. Box 4303, Baton Rouge, LA 70821, (225) 219-3845, spoke for information only on Senate Bill No. 400.

Commissioner Mike Strain, Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806, (225) 342-7270, spoke for information only on Senate Bill No. 400.

Representative Edmonds offered a motion to report Senate Bill No. 400 with amendments. Without objection, Senate Bill No. 400 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Berthelot, Billiot, Chaney, Edmonds, Falconer, Lance Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea.

Representative Henry offered a motion to allow the staff to make technical changes Senate Bill No. 400. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Berthelot, Billiot, Chaney, Edmonds, Falconer, Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 26 in support, 27 in opposition, and 3 for information only. 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 Berthelot offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Berthelot, Billiot, Chaney, Edmonds, Falconer, Lance Harris, Hensgens, McFarland, Miguez, Simon, and Zeringue voted yea.

The meeting was adjourned at 1:59 p.m.

Respectfully submitted,

Chairman Cameron Henry  
House Committee on Appropriations