

House Committee on Appropriations

Minutes of Meeting
2018 Regular Session
May 16, 2018

I. CALL TO ORDER

Representative Cameron Henry, Chairman of the House Committee on Appropriations, called the meeting to order at 8:22 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 Tony Bacala
Representative Lawrence A. "Larry" Bagley
Representative John A. Berthelot
Representative Robert E. Billiot
Representative Gary M. Carter, Jr.
Representative Charles R. Chaney
Representative Rick Edmonds
Representative Reid Falconer
Representative Franklin J. Foil, vice chairman
Representative Lance Harris
Representative Bob Hensgens
Representative Jack G. McFarland
Representative Blake Miguez
Representative Dustin Miller
Representative Steve E. Pylant
Representative Scott M. Simon
Representative Patricia Haynes Smith
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative Beryl A. Amedée
Representative James K. Armes, III
Representative Valarie Hodges
Representative Walt Leger, III

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

Senate Bill No. 2 by Senator Peacock

Senator Peacock presented Senate Bill No. 2, which authorizes payments funded by the system experience account to certain retirees and beneficiaries.

Representative Bacala offered a motion to report Senate Bill No. 2 favorably. Without objection, Senate Bill No. 2 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Falconer, Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Lance Harris, Hensgens, McFarland, Dustin Miller, Pylant, Simon, and Smith voted yea.

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

Senate Bill No. 94 by Senator Appel

Senator Appel presented Senate Bill No. 94, which provides that public entities are liable for interest due for failure to pay progressive stage or final payments on public contracts under certain conditions.

Representative Henry offered technical amendments, as well as offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Falconer, Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Harris, Hensgens, McFarland, Miller, Pylant, Simon, and Smith voted yea.

Mr. Derrell Cohoon, Capitol Partners, 532 Spanish Town Road, Baton Rouge, LA 70802, (225) 921-9233, spoke in support of Senate Bill No. 94.

Ms. Karen White, Executive Counsel for the Louisiana Municipal Association, 700 North Tenth Street, Baton Rouge, LA 70802, (225) 344-5001, spoke in opposition to Senate Bill No. 94.

Mr. Rodney Braxton, City of New Orleans and the Sewage and Water Board of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 381-0166, spoke in opposition to Senate Bill No. 94.

Representative Simon offered a motion to report Senate Bill No. 94 with amendments. Without objection, Senate Bill No. 94 was reported with amendments by a vote of 19 yeas and 0 nays. Representatives Falconer, Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Foil, Lance Harris, Hensgens, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 4 in opposition. Witness cards are included in the committee records.

Senate Bill No. 59 by Senator Cortez

Senator Cortez presented Senate Bill No. 59, a constitutional amendment, which removes authority to fund state police for traffic control from the Transportation Trust Fund. (See Exhibit A)

Representative Bacala offered a motion to report Senate Bill No. 59 favorably. Without objection, Senate Bill No. 59 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Lance Harris, Hensgens, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Senate Bill No. 480 by Senator Johns

Senator Johns presented Senate Bill No. 480, which provides with respect to the Office of Group Benefits.

Representative Henry offered amendments to remove the \$1 million threshold for program changes requiring legislative committee review and approval. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, McFarland, Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Mr. Tommy Teague, Chief Executive Officer, Office of Group Benefits, P.O. Box 44036, Baton Rouge, LA 70804, (225) 342-9670, spoke for information only on Senate Bill No. 480.

Mr. Randy Davis, Assistant Commissioner, Division of Administration, 1201 North Third Street, Suite 7-210, Baton Rouge, LA 70802, (225) 342-7000, spoke for information only on Senate Bill No. 480.

Representative Hensgens offered a motion to report Senate Bill No. 480 with amendments. Without objection, Senate Bill No. 480 was reported with amendments by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Foil, Harris, Hensgens, McFarland, Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Senate Bill No. 342 by Senator Donahue

Senator Donahue presented Senate Bill No. 342, which provides for modifications to the standstill budget to include means of finance substitutions for discretionary and nondiscretionary requirements.

Representative Berthelot offered a motion to report Senate Bill No. 342 favorably. Without objection, Senate Bill No. 342 was reported favorably by a vote of 18 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Falconer, Foil, Harris, Hensgens, McFarland, Pylant, Simon, Smith, and Zeringue voted yea.

Senate Concurrent Resolution No. 101 by Senator Donahue

Senator Donahue presented Senate Concurrent Resolution No. 101, which regards a budget plan that provides funding established by a standstill budget and includes priority programs.

Representative Henry offered amendments to: (1) delete references to a standstill budget in favor of referring to the existing operating budget; and (2) delete specified amounts of funding needed for priority programs. Representative Henry also offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Falconer, Foil, Harris, Hensgens, McFarland, Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Representative Simon offered a motion to report Senate Concurrent Resolution No. 101 with amendments. Without objection, Senate Concurrent Resolution No. 101 was reported with amendments by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Falconer, Foil, Harris, Hensgens, McFarland, Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Senate Bill No. 73 by Senator Gatti

Senator Gatti presented Senate Bill No. 73, which provides relative to Fetal Organ Whistleblower Account.

Representative Edmonds offered a motion to report Senate Bill No. 73 favorably. Without objection, Senate Bill No. 73 was reported favorably by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Falconer, Foil, Harris, Hensgens, McFarland, Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Senate Bill No. 129 by Senator Gatti

Senator Gatti presented Senate Bill No. 129, which provides relative to foster care children in high school.

Representative McFarland offered amendments to: (1) delete the contingency effectiveness of proposed law to the enactment of Senate Bill No. 555 of the 2018 Regular Session; and (2) make proposed law subject to the availability of funding. Representative McFarland offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Falconer, Foil, Lance Harris, Hensgens, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Ms. Kayana Bradley, 2000 Lakeshore Drive, #5063, New Orleans, LA 70148, (504) 905-9877, spoke in support of Senate Bill No. 129.

Representative Berthelot offered a motion to report Senate Bill No. 129 with amendments. Without objection, Senate Bill No. 129 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Falconer, Foil, Lance Harris, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue 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. 427 by Senator Chabert

Senator Chabert presented Senate Bill No. 427, which transfers the responsibilities of the Atchafalaya Basin Research and Promotion Board and the Atchafalaya Basin Program from within the Department of Natural Resources to the Coastal Protection and Restoration Authority.

Representative Zeringue offered a motion to report Senate Bill No. 427 favorably. Without objection, Senate Bill No. 427 was reported favorably by a vote of 19 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Chaney, Edmonds, Falconer, Foil, Lance Harris, Hensgens, McFarland, Dustin Miller, Pylant, Simon, Smith, and Zeringue voted yea.

Senate Bill No. 380 by Senator Bishop

Senator Bishop presented Senate Bill No. 380, which creates the TOPS Second Chance Award.

Dr. James Caillier, Patrick F. Taylor Foundation, One Lee Circle, New Orleans, LA 70130, (504) 589-0470, spoke in opposition to Senate Bill No. 380.

Representative Carter offered a motion to report Senate Bill No. 380 favorably, to which Representative Bagley objected. The secretary called the roll, and the motion failed to pass by a vote of 7 yeas and 11 nays. Representatives Abraham, Bacala, Billiot, Carter, McFarland, Miller, and Smith voted yea. Representatives Henry, Bagley, Berthelot, Chaney, Edmonds, Falconer, Harris, Hensgens, Pylant, Simon, and Zeringue voted nay.

Senate Bill No. 394 by Senator White

Senator White presented Senate Bill No. 394, which creates the TOPS-Tech 2Plus2 Award.

Dr. James Caillier, Patrick F. Taylor Foundation, One Lee Circle, New Orleans, LA 70130, (504) 589-0470, spoke in opposition to Senate Bill No. 394.

Representative Bacala offered a motion to report Senate Bill No. 394 favorably, to which Representative Smith objected. The secretary called the roll, and the motion failed to pass by a vote of 9 yeas, 10 nays, and 1 abstention. Representatives Abraham, Bacala, Billiot, Carter, Edmonds, Falconer, Foil, McFarland, and Miguez voted yea. Representatives Bagley, Berthelot, Chaney, Harris, Hensgens, Miller, Pylant, Simon, Smith, and Zeringue voted nay. Representative Henry abstained.

Senate Concurrent Resolution No. 48 by Senator Morrish

Senator Morrish presented Senate Concurrent Resolution No. 48, which provides for legislative approval of the MFP formula for the 2018-2019 Fiscal Year.

Ms. Beth Scioneaux, Chief Financial Officer, Department of Education, 1201 North Third Street, Baton Rouge, LA 70802, (225) 342-3617, spoke for information only on Senate Concurrent Resolution No. 48.

Representative Simon offered a motion to report Senate Concurrent Resolution No. 48 favorably. Without objection, Senate Concurrent Resolution No. 48 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Berthelot, Billiot, Carter, Chaney, Edmonds, Falconer, Harris, Miguez, Miller, 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.

Senate Bill No. 460 by Senator Carter

Senator Carter presented Senate Bill No. 460, which repeals the termination date of the New Orleans Ferry Fund.

Representative Billiot offered amendments to add provisions creating the Regional Maintenance and Improvement Fund and providing for the dedication of a portion of the motor vehicle license tax on trucks and trailers collected in Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes into the fund. Representative Billiot offered a motion to adopt the proposed amendments, to which Representative Carter objected. The secretary called the roll, and the amendments were adopted by a vote of 15 yeas, 3 nays, and 1 abstention. Representatives Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Falconer, Foil, Harris, McFarland, Miguez, Pylant, Simon, and Zeringue voted yea. Representatives Carter, Miller, and Smith voted nay. Representative Henry abstained.

Dr. Shawn Wilson, Secretary of the Department of Transportation and Development, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only on Senate Bill No. 460.

Representative Carter offered a motion to report Senate Bill No. 460 with amendments. Without objection, Senate Bill No. 460 was reported with amendments by a vote of 17 yeas, 0 nays, and 1 abstention. Representatives Abraham, Bacala, Bagley, Berthelot, Billiot, Carter, Chaney, Edmonds, Falconer, Foil, Harris, McFarland, Miguez, Miller, Pylant, Simon, and Zeringue voted yea. Representative Henry abstained.

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

Senate Bill No. 375 by Senator Barrow

On behalf of Senator Barrow, Representative Jackson presented Senate Bill No. 375, which requires retail food establishments to maintain and promote community hygiene as part of standardized business practices.

Representative Berthelot offered a motion to voluntarily defer action on Senate Bill No. 375. Without objection, action on Senate Bill No. 375 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Pylant, Simon, and Zeringue voted yea.

Senate Bill No. 373 by Senator Barrow

On behalf of Senator Barrow, Representative Jackson presented Senate Bill No. 373, which provides for the required reporting of certain revenue, exemptions, credits, and rebates in the tax exemption budget and on LaTrac.

Representative Miller offered amendments to: (1) broaden the range in which tax exemption budget reporting information may be grouped from fewer than three businesses receiving a particular exemption to fewer than 10 businesses receiving an exemption; and (2) change the date for full implementation of the tax exemption budget reporting requirements provided for in proposed law from Fiscal Year 2019-2020 to Fiscal Year 2018-2019. Representative Dustin Miller 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, Foil, Harris, McFarland, Miguez, Miller, Pylant, Simon, and Zeringue voted yea.

Representative Miller offered a motion to report Senate Bill No. 373 with amendments. Without objection, Senate Bill No. 373 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Berthelot, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Pylant, Simon, 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.

Senate Bill No. 561 by Senator Barrow

On behalf of Senator Barrow, Representative Jackson presented Senate Bill No. 561, which creates the Empowering Families to Live Well Louisiana Act.

Representative Henry offered amendments to delete the requirement that the council work to establish public-private partnerships. 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, Abraham, Bacala, Bagley, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, and Zeringue voted yea.

Representative Edmonds offered a motion to report Senate Bill No. 561 with amendments. Without objection, Senate Bill No. 561 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, and Zeringue voted yea.

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

Senate Bill No. 182 by Senator Hewitt

On behalf of Senator Hewitt, Representative Edmonds presented Senate Bill No. 182, which provides relative to the Medicaid Subcommittee of the Health and Social Services Estimating Conference.

Representative Simon offered a motion to report Senate Bill No. 182 favorably. Without objection, Senate Bill No. 182 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, 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.

Senate Bill No. 347 by Senator Hewitt

On behalf of Senator Hewitt, Representative Edmonds presented Senate Bill No. 347, which provides relative to funding for waiver services for individuals with developmental disabilities.

Representative Edmonds offered a motion to report Senate Bill No. 347 favorably. Without objection, Senate Bill No. 347 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 445 by Senator Hewitt

On behalf of Senator Hewitt, Representative Edmonds presented Senate Bill No. 445, which provides relative to reports required of the executive branch by statute or resolution.

Representative Edmonds offered a motion to report Senate Bill No. 445 favorably. Without objection, Senate Bill No. 445 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Billiot, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, and Zeringue voted yea.

Senate Bill No. 554 by Senator Claitor

On behalf of Senator Claitor, Representative Foil and Mr. Teague presented Senate Bill No. 554, which provides with respect to the Office of Group Benefits.

Representative Foil offered a motion to report Senate Bill No. 554 favorably. Without objection, Senate Bill No. 554 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Billiot, Carter, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, and Zeringue voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Harris offered a motion to adjourn. Without objection, the motion passed by a vote of 15 yeas and 0 nays. Representatives Henry, Abraham, Bacala, Bagley, Billiot, Carter, Chaney, Edmonds, Foil, Harris, McFarland, Miguez, Miller, Simon, and Zeringue voted yea.

The meeting was adjourned at 10:59 a.m.

Respectfully submitted,

Chairman Cameron Henry
House Committee on Appropriations