

House Committee on House and Governmental Affairs

Minutes of Meeting
2018 Regular Session
March 14, 2018

I. CALL TO ORDER

Representative, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 3:16 p.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 Jimmy Harris
Representative Lance Harris
Representative Barry Ivey
Representative Sam L. Jenkins, Jr.
Representative Stephen E. Pugh, vice chairman

MEMBERS ABSENT:

Representative Dorothy Sue Hill
Representative Gregory A. Miller
Representative John C. "Jay" Morris, III
Representative Robert E. Shadoin

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Fay Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 51 by Representative LeBas

Representative LeBas presented House Bill No. 51, which provides an exception from dual officeholding laws to allow a certified public accountant to hold an office on a school board and employment with a sheriff to provide financial or accounting services.

Michael Fontenot, Evangeline Parish Sheriff's Department, 200 Court Street, Suite 100, Ville Platte, LA 70586, 337-363-2161, spoke in favor of the bill.

Dirk Deville, 900 W. Magnolia Street, Ville Platte, LA 70586, 337-459-7029, spoke in favor of the bill.

Wendell Lindsay, Common Cause Louisiana, 5874 Chandler Drive, Baton Rouge, LA 70808, 225-769-0446, spoke in opposition to the bill.

Representative Ivey offered a motion to report House Bill No. 51 favorably. Without objection, House Bill No. 51 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

House Bill No. 53 by Representative Talbot

Representative Talbot presented House Bill No. 53, which prohibits public servants in state government from engaging in certain activities with public funds and assets.

Representative Danahay offered amendments to add the definition of the term "state agency".

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

Representative Danahay offered a motion to report House Bill No. 53 with amendments. Without objection, House Bill No. 53 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

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

House Bill No. 85 by Representative James

On behalf of the author, Representative Jimmy Harris presented House Bill No. 85, which exempts board members of a certain neighborhood security and improvement district from Tier 2.1 financial disclosure requirements.

Kathleen M. Allen, Board of Ethics, P. O. Box 4368, Baton Rouge, LA 70821, 225-219-5600, spoke for information only on House Bill No. 85.

Representative Gary Carter offered a motion to report House Bill No. 85 favorably. Without objection, House Bill No. 85 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

House Bill No. 86 by Representative James

On behalf of the author, Representative Danahay presented House Bill No. 86, which provides an ethics exception to allow governing authority members and employees of a political subdivision or special district that operates parks and recreation facilities and the immediate family members of such persons to rent a facility for an event subject to certain conditions.

Wendell Lindsay, Common Cause Louisiana, 5874 Chandler Drive, Baton Rouge, LA 70808, 225-769-0446, spoke in opposition to the bill but withdrew such opposition upon hearing further explanation.

Representative Gary Carter offered a motion to report House Bill No. 86 favorably. Without objection, House Bill No. 86 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

House Bill No. 7 by Representative Gregory Miller

On behalf of the author, Representative Danahay presented House Bill No. 7, which provides relative to certain statements required to be filed by elected officials.

Representative Lance Harris offered a motion to report House Bill No. 7 favorably. Without objection, House Bill No. 7 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

House Bill No. 323 by Representative Foil

Representative Foil and Representative Steve Carter presented House Bill No. 323, which provides for calling a limited constitutional convention for fiscal purposes and preparations therefor.

Wendell Lindsay, Common Cause Louisiana, 5824 Chandler Drive, Baton Rouge, LA 70808 225-769-0446, spoke in support of the bill.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 323. Without objection, action on House Bill No. 323 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 3 by Representative Foil

Representative Foil and Representative Steve Carter presented House Concurrent Resolution No. 3, which creates a commission to study the feasibility of a constitutional convention and make recommendations relative thereto.

Representative Danahay offered a motion to report House Concurrent Resolution No. 3 favorably. Without objection, House Concurrent Resolution No. 3 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

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

House Bill No. 500 by Representative Abramson

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

Representative Gary Carter offered a motion to report House Bill No. 500 favorably. Without objection, House Bill No. 500 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 4 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 385 by Representative Ivey

Representative Ivey presented House Bill No. 385, which provides for calling a limited constitutional convention and preparations therefor.

Representative Ivey offered a motion to report House Bill No. 385 by substitute, to which Representative Pugh objected. The secretary called the roll, and the motion failed to pass by a vote of 2 yeas and 4 nays. Representatives Jimmy Harris and Ivey voted yea. Representatives Lance Harris, Jenkins, Pugh, and Danahay voted nay.

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. 524 by Representative Carpenter

Representative Carpenter presented House Bill No. 524, which requires policies prohibiting sexual harassment and annual training on preventing sexual harassment.

Representative Jackson spoke in support of House Bill No. 524.

Representative Marino spoke in support of House Bill No. 524.

Representative Danahay offered technical amendments to the bill. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

Representative Danahay read into the record a statement in support of the bill submitted by Julie Schwam Harris, 1208 Pine Street, New Orleans, LA 70118, 504-650-2746, who was not present.

Representative Danahay offered a motion to report House Bill No. 524 with amendments. Without objection, House Bill No. 524 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay 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.

House Bill No. 346 by Representative Hilferty

Representative Hilferty presented House Bill No. 346, which removes an ethics exception which allows a person to be employed by a board when the person has served as a member of the board as designee of a mayor of certain municipalities.

Representative Danahay offered a motion to report House Bill No. 346 favorably. Without objection, House Bill No. 346 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Ivey, Jenkins, Pugh, and Danahay 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. 541 by Representative Stokes

Representative Stokes presented House Bill No. 541, a constitutional amendment providing for the length of and subject matters considered during regular legislative sessions.

Representative Danahay offered amendments to remove proposed provisions repealing present constitution provisions relative to regular sessions convening in odd-numbered years; proposed provisions repealing present constitution restrictions on the subject matter of items introduced or considered during a regular session; and proposed provisions making calendar and deadlines applicable to even-numbered years in the present constitution applicable to all regular sessions; to add provisions that allow each member of the legislature, during a regular general session in an even-numbered year, to prefile up to five bills that levy or authorize a new tax; increase an existing tax; or legislate with regard to tax exemptions, exclusion, deductions, or credits; and to add provisions providing that companion bills for constitutional amendments do not count toward the number of bills that a member of the legislature may file that are outside of the applicable subject matter limitations of a regular session.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

Jim Patterson, Louisiana Association of Business and Industry, 3113 Valley Creek Drive, Baton Rouge, LA 70808, 225-928-5388, spoke in opposition to the bill.

Representative Ivey offered a motion to report House Bill No. 541 with amendments. Without objection, House Bill No. 541 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

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

House Concurrent Resolution No. 4 by Representative Abraham

Representative Abraham presented House Concurrent Resolution No. 4, which provides for the selection and authority of commissioners representing the state when a convention is called to propose amendments to the U.S. Constitution pursuant to Article V.

Dale Clary, Convention of States Project, 18688 Manchac Highlands, Prairieville, LA 70769, 225-673-6453, spoke in support of the resolution.

Representative Lance Harris offered a motion to report House Concurrent Resolution No. 4 favorably. Without objection, House Concurrent Resolution No. 4 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Pugh, and Danahay voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 5:09 p.m.

Respectfully submitted,

Chairman Michael E. Danahay
House Committee on House and Governmental Affairs

Date adopted: