

House Committee on House and Governmental Affairs

Minutes of Meeting
2018 Regular Session
March 21, 2018

I. CALL TO ORDER

Representative, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:43 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

MEMBERS ABSENT:

Representative Jimmy Harris
Representative Robert E. Shadoin

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Vivien Hurst, sergeant at arms
Jennifer Watson, division staff

III. DISCUSSION OF LEGISLATION

House Bill No. 189 by Representative Wright

Representative Wright presented House Bill No. 189, which provides for processes, including agency review and public comment, to identify agency rules that may be contrary to law, outdated, unnecessary, overly complex, or burdensome.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 189. Without objection, action on House Bill No. 189 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Hill, Jenkins, Gregory Miller, Jay Morris, 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. 373 by Representative Johnson

Representative Johnson presented House Bill No. 373, which provides relative to judicial review of certain administrative decisions.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 373. Without objection, action on House Bill No. 373 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay 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. 89 by Representative Smith

Representative Smith presented House Bill No. 89, which provides relative to the allocation of incarcerated persons for the purposes of all redistricting by the legislature.

Representative Jenkins offered a motion to report House Bill No. 89 favorably. Without objection, House Bill No. 89 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Hill, Jenkins, Gregory Miller, Pugh, and Danahay 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. 615 by Representative Jordan

Representative Jordan presented House Bill No. 615, which provides relative to administrative hearings involving actions of the commissioner of insurance.

Arlene D. Knighten, Louisiana Department of Insurance, 1702 N. Third Street, Baton Rouge, LA 70801 spoke for information only on House Bill No. 615.

Emalie Boyce, Division of Administrative Law, 1020 Florida Street, Baton Rouge, LA 70802, 225-342-1613, spoke for information only on House Bill No. 615.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 615 and reschedule it. Without objection, House Bill No. 615 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Hill, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

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

House Bill No. 270 by Representative Foil

Representative Foil presented House Bill No. 270, which exempts specified personally identifying information related to reports of violations of student codes of conduct or other policies intended for the safety of students or employees of postsecondary education institutions from the Public Records Law.

Jason Droddy, Louisiana State University, no address provided, spoke for information only on House Bill No. 270.

Representative Ivey offered a motion to report House Bill No. 270 favorably. Without objection, House Bill No. 270 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

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

House Bill No. 453 by Representative Ivey

Representative Ivey presented House Bill No. 453, a constitutional amendment which requires that any law enacted concerning a sales and use tax exemption or exclusion shall be uniformly applicable to the sales and use taxes of all taxing authorities in the state.

Representative Ivey offered a motion to voluntarily defer action on House Bill No. 453. Without objection, House Bill No. 453 was voluntarily deferred by a vote of 8 yeas and 0 nays.

Representatives Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

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

House Bill No. 123 by Representative Garofalo

Representative Garofalo presented House Bill No. 123, which prohibits a public body or official from filing suit against a person who has made a public records request.

Representative Garofalo requested a substitute bill that would provide for the award of attorney fees to a person making a public records request when the person prevails or prevails in part in a suit instituted by a public body or official.

Representative Jay Morris offered a motion to report House Bill No. 123 by substitute. Without objection, House Bill No. 123 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay 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. 269 by Representative Falconer

Representative Falconer presented House Bill No. 269, which provides for reproduction of public records from district attorney's offices.

Tony Sanders, District Attorney's Office - 22nd Judicial District, 701 N. Columbia Street, Covington, LA 70433, 985-809-8383, spoke in support of House Bill No. 269.

Cary Menard, District Attorney's Office - 22nd Judicial District, 701 N. Columbia Street, Covington, LA 70433, 985-809-8383 spoke in support of House Bill No. 269.

Scott Sternberg, Louisiana Press Association, 643 Magazine Street, #402, New Orleans, LA, spoke in opposition to House Bill No. 269.

Lee Zurik, WVUE-TV, 1025 S. Jefferson Davis Parkway, New Orleans, LA, spoke in opposition to House Bill No. 269.

Robert Travis Scott, PAR, 451 Florida Street, Baton Rouge, LA 70801, 225-926-8414, spoke in opposition to House Bill No. 269.

Lee Polowczuk, WBRZ-TV, 1650 Highland Road, Baton Rouge, LA 70802, 225-336-2391, spoke in opposition to House Bill No. 269.

Representative Gary Carter offered a motion to involuntarily defer action on House Bill No. 269. Without objection, action on House Bill No. 269 was involuntarily deferred by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Hill, Ivey, Jenkins, Jay Morris, Pugh, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 5 in opposition. Witness cards are included in the committee records.

House Bill No. 255 by Representative Falconer

Representative Falconer presented House Bill No. 255, which provides for a public records exception for certain records of the State Board of Architectural Examiners concerning the fitness of a person to receive or hold a license or certificate of registration to practice architecture.

Paul Spaht, Louisiana State Board of Architectural Examiners, 4232 Bluebonnet Boulevard, Baton Rouge, LA 70809, 225-490-9545, spoke for information only on House Bill No. 255.

Scott Sternberg, Louisiana Press Association, 643 Magazine Street, New Orleans, 70130, spoke in opposition to House Bill No. 255.

Representative Jay Morris offered a motion to report House Bill No. 255 favorably. Without objection, House Bill No. 255 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Hill, Ivey, Jenkins, Jay Morris, Pugh, and Danahay voted yea.

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

House Bill No. 420 by Representative Dustin Miller

Representative Dustin Miller presented House Bill No. 420, which provides relative to the Governmental Ethics exceptions for certain physicians. He presented a proposed substitute bill to make technical corrections to House Bill No. 420.

Jen Steele, medicaid director, no witness card provided, spoke for information only on House Bill No. 420.

Representative Danahay requested a technical change to the proposed substitute bill to clarify that pre-employment records would be public records in the Department of Health.

Representative Danahay made a motion to report House Bill No. 420 by substitute, to which there was no objection. House Bill No. 420 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Hill, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

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

House Bill No. 188 by Representative Gregory Miller

Representative Gregory Miller presented House Bill No. 188, which provides relative to acceptance by a public servant of transportation, admission, and lodging given by a third party.

Representative Danahay offered a motion to report House Bill No. 188 favorably. Without objection, House Bill No. 188 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay 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.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Representative Danahay announced that bills not heard at the meeting would be rescheduled.

VI. ADJOURNMENT

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

Respectfully submitted,

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

Date approved: _____

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