

## **House Committee on House and Governmental Affairs**

Minutes of Meeting  
2018 Regular Session  
March 28, 2018

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

Representative, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 9:40 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Gary M. Carter, Jr.  
Representative Jimmy Harris  
Representative Lance Harris  
Representative Barry Ivey  
Representative Sam L. Jenkins, Jr.  
Representative Gregory A. Miller  
Representative John C. "Jay" Morris, III  
Representative Stephen E. Pugh, vice chairman  
Representative Robert E. Shadoin  
Representative Michael E. Danahay, chairman

#### **MEMBERS ABSENT:**

Representative Dorothy Sue Hill

#### **STAFF MEMBERS PRESENT:**

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

#### **ADDITIONAL ATTENDEES PRESENT:**

Vivien Hurst, sergeant at arms  
Christina Porter, clerk

### **III. DISCUSSION OF LEGISLATION**

**House Bill No. 711 by Representative James**

Representative James presented House Bill No. 711, which provides for changes to the Louisiana Council on the Social Status of Black Men and Boys.

Representative Danahay offered a motion to report House Bill No. 711 favorably. Without objection, House Bill No. 711 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

**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for processes, including agency review and public comment, to identify agency rules that may be contrary to law, outdated, unnecessary, overly complex, or burdensome.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 amendments to remove provisions requiring an agency to review its rules within a six-year period and to report on its progress and recommendations in an annual report to the legislative oversight committees; to change the requirement for the occurrence of the agency hearing for public comment on rules from at least once every two years to at least once prior to January 1, 2020, and at least once every six-year period thereafter; to require agencies with an operating budget of \$5 million or more to place information regarding the submission of petitions on their websites; to remove the requirement that agencies issue a response to oral comments and add a requirement that agencies inform persons that comments must be submitted in writing to be submitted to the legislative oversight committees; to require the inclusion of the process for requesting accommodations for persons with disabilities in the meeting notice; to provide that the agency shall "provide" meeting notice to persons who have made a timely request rather than "mail" the notice; and to remove specific provisions about the content of the first report required after January 1, 2019.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Representative Pugh offered a motion to report House Bill No. 189 with amendments. Without objection, House Bill No. 189 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

**House Bill No. 378 by Representative Shadoin**

Representative Shadoin presented House Bill No. 378, which re-creates the Department of State and the statutory entities made a part of the department by law.

Representative Danahay offered amendments to change the new termination date from July 1, 2025, to July 1, 2023. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Tom Schedler, secretary of state, 8585 Archives Boulevard, Baton Rouge, LA 70809, 225-922-2880, spoke for information only on House Bill No. 378.

Representative Pugh offered a motion to report House Bill No. 378 with amendments. Without objection, House Bill No. 378 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. 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.

Representative Danahay offered amendments to remove provisions of proposed law specifying that the 30-day period for filing a demand for a hearing is preemptive.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Representative Jenkins offered a motion to report House Bill No. 615 with amendments. Without objection, House Bill No. 615 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only, and 8 in support. 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, action on House Bill No. 453 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

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

#### **House Bill No. 717 by Representative Ivey**

Representative Ivey presented House Bill No. 717, which provides for the membership of certain museum boards.

Kyle Ardoin, first assistant secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, 225-922-2880, spoke for information only on House Bill No. 717.

Representative Danahay offered technical amendments to House Bill No. 717.

Representative Danahay offered a motion to adopt the proposed technical amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Representative Pugh offered a motion to report House Bill No. 717 with amendments. Without objection, House Bill No. 717 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Pugh, Shadoin, 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. 557 by Representative Jimmy Harris**

Representative Jimmy Harris presented House Bill No. 557, which creates and provides for the Advisory Board of the Louisiana State Archives within the Department of State.

Kyle Ardoin, first assistant secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, 225-922-2880, spoke for information only on House Bill No. 717.

Representative Danahay offered an amendment to add a requirement that one of the five members appointed by the secretary of state be a clerk of court, and technical amendments.

Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Jenkins, Gregory Miller, Pugh, Shadoin, and Danahay voted yea.

Representative Pugh offered a motion to report House Bill No. 557 with amendments. Without objection, House Bill No. 557 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Jenkins, Gregory Miller, Pugh, Shadoin, 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. 665 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 665, which provides relative to records of port economic development negotiations.

Gary LaGrange, Ports Association of Louisiana, 2508 State Street, New Orleans, LA 70118, 504-452-1557, spoke in support of House Bill No. 665.

Jon Ringo, Port of Lake Charles, 1611 W. Sallier Street, Lake Charles, LA 70605, spoke for information only on House Bill No. 665.

Scott L. Sternberg, Louisiana Press Association, 6613 Magazine Street, Suite 402, New Orleans, LA 70130, 504-331-0888, spoke in opposition to House Bill No. 665.

Representative Danahay offered a technical amendment.

Representative Danahay offered a motion to adopt the proposed technical amendments. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

Representative Gregory Miller offered a motion to report House Bill No. 665 with amendments. Without objection, House Bill No. 665 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Gary Carter, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 3 in opposition. 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.

Candace LeBlanc, Department of Children and Family Services (DCFS), P. O. Box 3776, Baton Rouge, LA 70821, 225-342-0286, no witness card submitted, spoke for information only on House Bill No. 373.

Representative Ivey offered amendments to add an exception to present law to authorize DCFS to seek judicial review in appeals of decisions by the division of administrative law brought pursuant to present law.

Representative Ivey 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, Jay Morris, and Danahay voted yea.

Representative Jenkins offered a motion to report House Bill No. 373 with amendments. Without objection, House Bill No. 373 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

### **House Bill No. 335 by Representative Gary Carter**

Representative Gary Carter presented House Bill No. 335, which provides relative to the Louisiana Historical Records Advisory Board.

Representative Gary Carter offered amendments to make technical changes.

Representative Gary Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

Representative Jenkins offered a motion to report House Bill No. 335 with amendments. Without objection, House Bill No. 335 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

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

### **House Bill No. 166 by Representative Mack**

Representative Mack presented House Bill No. 166, which provides for the formal ratification of the National Crime Prevention and Privacy Compact Act.

Captain Stacey Barrett, Louisiana State Police, 7919 Independence Boulevard, Baton Rouge, LA 70806, 225-925-4935, spoke for information only on House Bill No. 166.

Representative Jenkins offered a motion to report House Bill No. 166 favorably. Without objection, House Bill No. 166 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, 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. 204 by Representative Jackson**

House Bill No. 204, a Constitutional Amendment, provides certain exemptions for certain levee districts from certain civil service rules relative to personnel in the classified service of state civil service.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 204. Without objection, action on House Bill No. 204 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

### **House Bill No. 664 by Representative Edmonds**

House Bill No. 664 provides for the termination of statutory entities, programs, and activities unless evaluated as directed by the Government Review Commission.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 664. Without objection, action on House Bill No. 664 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

### **House Bill No. 718 by Representative Connick**

House Bill No. 718 prohibits former agency heads in the executive branch of state government from assisting persons, for compensation, with their former departments or any agency therein for a period of three years after public service.

Representative Danahay offered a motion to voluntarily defer action on House Bill No. 718. Without objection, action on House Bill No. 718 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

#### **Senate Bill No. 174 by Senator Perry**

On behalf of the author, Representative Marino presented Senate Bill No. 174, which provides relative to the Old Arsenal Museum.

Representative Jay Morris offered a motion to report Senate Bill No. 174 favorably. Without objection, Senate Bill No. 174 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, 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.

#### **Senate Bill No. 175 by Senator Perry**

On behalf of the author, Representative Marino presented Senate Bill No. 175, which provides for the establishment and maintenance of a monument on the east side of the state capitol to honor the sacrifices of Louisiana Gold Star Families.

Representative Ivey offered a motion to report Senate Bill No. 175 favorably. Without objection, Senate Bill No. 175 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

#### **House Bill No. 472 by Representative Thibaut**

On behalf of the author, Korey Harvey, Louisiana Department of Insurance, 1702 North Third Street, Baton Rouge, LA 70802, 225-342-1355, presented House Bill No. 472, which establishes the Louisiana Health Reinsurance Association.

Representative Danahay offered technical amendments to House Bill No. 472. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments



were adopted by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

Representative Ivey offered amendments to limit the exclusion of the coverage of the Office of Group Benefits from the association and its fee assessment to the coverage offered to retirees and to apply the fee assessment to the coverage offered by the Office of Group Benefits to active employees and dependents, but specifying that the fee assessment shall not be paid by any state agency, including the office, but shall be paid by the active employees and collected in the same manner as active employee contributions are collected. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, and Danahay voted yea.

Ronnell Nolan, Health Agents for America, P. O. Box 65128, Baton Rouge, LA 70896, 855-981-4232, spoke in support of House Bill No. 472.

Robert L. Rieger, LBGH/Adams and Reese, LLP, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, 225-336-5200, spoke in opposition to House Bill No. 472.

Dawn Starns, NFIB, 530 Lakeland Drive, Baton Rouge, LA 70801, 225-218-6847, spoke in opposition to House Bill No. 472.

Scott L. Sternberg, Louisiana Press Association, 643 Magazine Street, Suite 40, New Orleans, LA 70130, 225-331-0888, spoke in opposition to House Bill No. 472.

Representative Gregory Miller offered amendments to remove the Public Records Law exemption including specific provisions regarding confidential, trade secret, and proprietary documents and information and to remove specific provisions regarding executive sessions of the association. Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

Representative Danahay offered amendments to remove the tax exemption for the association from payment of fees and taxes levied by the state or any of its subdivisions. Representative Danahay offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Lance Harris, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

Jim Donelon, commissioner of the Department of Insurance, 1722 N. Third Street, Baton Rouge, LA 70802, 225-342-5900, spoke in support of House Bill No. 472.

Representative Ivey offered a motion to report House Bill No. 472 with amendments with a recommendation to recommit the bill to the Committee on Appropriations. Without objection, House Bill No. 472 was reported with amendments with a recommendation that it be recommitted to the Committee on Appropriations by a vote of 8 yeas and 0 nays. Representatives Gary Carter, Jimmy Harris, Ivey, Jenkins, Gregory Miller, Jay Morris, Pugh, and Danahay voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support and 10 in opposition. Witness cards are included in the committee records.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 1:07 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.