

House Committee on House and Governmental Affairs

Minutes of Meeting
2020 Regular Session
May 13, 2020

I. CALL TO ORDER

Representative Stephen C. Dwight, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 1:05 p.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Stephen C. Dwight, chairman
Representative Gerald "Beau" Beaulieu, IV
Representative Wilford Dan Carter, Sr.
Representative Royce Duplessis, vice chairman
Representative Les Farnum
Representative Foy Bryan Gadberry
Representative Charles Alexander Henry
Representative Valarie Hodges
Representative Dodie Horton
Representative Barry Ivey
Representative Sam L. Jenkins, Jr.
Representative Michael T. Johnson
Representative Jeremy S. LaCombe
Representative Tanner D. Magee
Representative Candace N. Newell
Representative Rodney Wayne Schamerhorn
Representative Malinda B. White

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Patricia Lowrey-Dufour, legislative analyst
Lorrienne Lucas, attorney
Rosalie Ammersbach, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 290 by Representative Bishop**

Representative Bishop presented House Bill No. 290, which prohibits the disclosure of addresses and telephone numbers of election commissioners.

Representative Dwight offered amendments to:

1. Add the Department of State to those who are prohibited from disclosing the address or telephone number of an election commissioner.
2. Add provision making proposed law effective upon signature of governor or lapse of time for gubernatorial action.

Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Beaulieu offered a motion to report House Bill No. 290 with amendments. Without objection, House Bill No. 290 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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

House Bill No. 88 by Representative Hughes

Representative Hughes presented House Bill No. 88, which prohibits disclosure by registrars of voters, clerks of court, and Department of State of information related to voter registration and election management computer systems.

Representative Duplessis offered a motion to report House Bill No. 88 favorably. Without objection, House Bill No. 88 was reported favorably by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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

House Bill No. 167 by Representative Emerson

Representative Emerson presented House Bill No. 167, which provides relative to the submission of nominees for the offices of president and vice president.

Representative White offered a motion to report House Bill No. 167 favorably. Without objection, House Bill No. 167 was reported favorably by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 690 by Representative Amedee

Representative Amedee presented House Bill No. 690, which provides relative to the election of State Central Committee members.

Representative Dwight offered amendments to:

1. Add provisions of proposed law regarding the date of the election for state central committee members in 2020.
2. Add a provision of proposed law regarding the term of office of the members of a parish executive committee.
3. Add a provision making proposed law effective upon signature of governor or lapse of time for gubernatorial action.

Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Horton offered a motion to report House Bill No. 690 with amendments. Without objection, House Bill No. 690 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, and Schamerhorn voted yea. Representative Dwight abstained.

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

House Bill No. 114 by Representative Bagley

Representative Bagley presented House Bill No. 114, which provides relative to parish boards of election supervisors.

Representative Dwight offered amendments to remove proposed changes to present law that would require the governor's appointee to the parish board of election supervisors to be chosen from nominees submitted by the secretary of state. Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Horton offered a motion to report House Bill No. 114 with amendments. Without objection, House Bill No. 114 was reported with amendments by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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

House Bill No. 751 by Representative Dwight

Representative Dwight presented House Bill No. 751, which makes revisions to the Louisiana Election Code.

Sherri Hadskey, secretary of state, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, spoke for information only on House Bill No. 751.

Lani Durio, secretary of state, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, spoke for information only on House Bill No. 751.

R. Kyle Ardoin, secretary of state, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, spoke for information only on House Bill No. 751.

Representative Beaulieu offered amendments to remove proposed reduction of number of witnesses required on certain election documents for persons who can only affix their mark. Representative Beaulieu offered a motion to adopt the proposed amendments, to which Representative Duplessis objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 9 yeas, 6 nays, and 1 abstention. Representatives Beaulieu, Farnum, Gadberry, Henry, Horton, Ivey, Mike Johnson, Magee, and Schamerhorn voted yea. Representatives Wilford Carter, Duplessis, Jenkins, LaCombe, Newell, and White voted nay. Representative Dwight abstained.

Representative Dwight offered technical amendments. Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Jenkins, Mike Johnson, LaCombe, Magee, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Dwight offered amendments to add provisions to move the qualifying period of the 2020 congressional primary election and provide for the subsequent repeal of such provisions. Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Dwight offered a motion to report House Bill No. 751 with amendments. Without objection, House Bill No. 751 was reported with amendments by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Jenkins, Mike Johnson, Magee, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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

House Concurrent Resolution No. 6 by Representative Edmonds

Representative Edmonds presented House Concurrent Resolution No. 6, which creates and provides for the Joint Medicaid Oversight Committee.

Representative Duplessis in the chair.

Representative Horton offered a motion to report House Concurrent Resolution No. 6 favorably, to which Representative Jenkins objected. The administrative assistant called the roll, and House Concurrent Resolution No. 6 was reported favorably by a vote of 10 yeas and 5 nays. Representatives Beaulieu, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Mike Johnson, Magee, and Schamerhorn voted yea. Representatives Wilford Carter, Duplessis, Jenkins, LaCombe, and Newell voted nay.

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

Chairman Dwight in the chair.

House Concurrent Resolution No. 28 by Representative Wright

Representative Wright presented House Concurrent Resolution No. 28, which calls for a convention to amend the United States Constitution to establish a limitation on terms for members of congress.

Representative Newell offered a motion to implement a two minute rule for presentation of instruments and for members' questions. Without objection, the motion passed by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, and Newell voted yea. Representative Dwight abstained.

Ken Clark, United States Term Limits, South Carolina, (307) 286-4776, spoke in support of House Concurrent Resolution No. 28.

Representative Farnum offered a motion to report House Concurrent Resolution No. 28 favorably. Without objection, House Concurrent Resolution No. 28 was reported favorably by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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

House Concurrent Resolution No. 48 by Representative Wright

Representative Wright presented House Concurrent Resolution No. 48, which requests the House and Senate governmental affairs committees to meet and function as a joint committee to review the process of rulemaking by state agencies and the Louisiana Administrative Code and make recommendations relative thereto.

Representative Dwight offered amendments to remove certain public entities from the list of specified organizations from whom the joint committee is required to solicit advice, input, and recommendations. Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Ivey offered a motion to report House Concurrent Resolution No. 48 with amendments. Without objection, House Concurrent Resolution No. 48 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

House Bill No. 515 by Representative Wright

Representative Wright presented House Bill No. 515, which provides relative to the content of the notice of intent of an agency's intended action regarding administrative rules.

Representative Dwight offered amendments to remove language that made the requirement that a notice of intent include a preamble conditional on there being a preamble to the rule. Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Mike Johnson offered a motion to report House Bill No. 515 with amendments. Without objection, House Bill No. 515 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Gadberry, Henry, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

House Bill No. 93 by Representative Wilford Carter

Representative Wilford Carter presented House Bill No. 93, which provides relative the composition of the election sections of the Second District of the Third Circuit Court of Appeal.

Representative Newell offered a motion to report House Bill No. 93 favorably, to which Representative Horton objected. The administrative assistant called the roll, and House Bill No. 93 was reported favorably by a vote of 11 yeas, 3 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Ivey, Jenkins, Mike Johnson, Newell, and White voted yea. Representatives Hodges, Horton, and Schamerhorn voted nay. Representative Dwight abstained.

House Bill No. 497 by Representative Ivey

Representative Ivey presented House Bill No. 497, which requires each auditee in state government to provide the legislative auditor with direct access to data.

Representative Ivey offered amendments to add a provision that the legislative auditor's direct access to an auditee's data shall be upon request, either by concurrent resolution or written request from the presiding officers. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Ivey offered amendments to add that proposed law shall not be construed to require the Department of Revenue to provide electronic access to or disclose certain confidential information. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Ivey offered a motion to report House Bill No. 497 with amendments. Without objection, House Bill No. 497 was reported with amendments by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 636 by Representative Ivey

Representative Ivey presented House Bill No. 636, which creates and provides for the Joint Legislative Committee on Technology and Cybersecurity.

Representative Ivey offered amendments to:

1. Increase the number of members appointed by the president of the Senate from four to five.
2. Authorize rather than mandate the committee to study and examine matters pertaining to information technology of the state, to review the needs and performance of the office of technology services, and to make certain reports and recommendations; remove the requirement for the committee to make quarterly reports.
3. Remove the requirement that agencies submit documentation regarding grants and donations of technology goods and services for review.
4. Remove the specific function of the committee to assist the legislature in setting information technology priorities.
5. Remove "planning for" from the definition of "information technology".

Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Brad Manuel, secretary of state, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, spoke for information only on House Bill No. 636.

Representative Ivey offered a motion to report House Bill No. 636 with amendments. Without objection, House Bill No. 636 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 685 by Representative Ivey

Representative Ivey presented House Bill No. 685, which provides relative to interagency data sharing.

Representative Ivey offered amendments to change a provision regarding state agency cooperation with the House and Senate committees on governmental affairs in fulfilling the requirements of proposed law to make it permissive rather than mandatory. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Ivey offered amendments to add a provision that proposed law does not supersede provisions of law or contractual obligations requiring confidentiality of information. Representative Ivey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Representative Ivey offered a motion to report House Bill No. 685 with amendments. Without objection, House Bill No. 685 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

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. 625 by Representative James

On behalf of Representative James, Representative Freeman presented House Bill No. 625, which provides relative to the allocation of incarcerated persons for the purposes of redistricting.

Representative Dwight offered amendments to provide for technical changes. Representative Dwight offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

Peter Robins-Brown, Power Coalition for Equity and Justice, no address provided, (504) 256-8196, spoke in support of House Bill No. 625.

Evan Bergeron, Fair Districts Louisiana, 1700 Josephine Street, New Orleans, LA 70113, (504) 841-9395, spoke in support of House Bill No. 625.

Representative Horton offered a motion to involuntarily defer action on House Bill No. 625, to which Representative Ivey objected. No vote was taken on the motion to involuntarily defer House Bill No. 625.

Representative Ivey offered a substitute motion to report House Bill No. 625 with amendments, to which Representative Horton objected. The administrative assistant called the roll, and House Bill No. 625 was reported with amendments by a vote of 10 yeas, 5 nays, and 1 abstention. Representatives Wilford Carter, Duplessis, Gadberry, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representatives Beaulieu, Farnum, Henry, Hodges, and Horton voted nay. Representative Dwight abstained.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Schamerhorn offered a motion to adjourn. Without objection, the motion passed by a vote of 15 yeas, 0 nays, and 1 abstention. Representatives Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Jenkins, Mike Johnson, LaCombe, Newell, Schamerhorn, and White voted yea. Representative Dwight abstained.

The meeting was adjourned at 4:22 p.m.

Respectfully submitted,



Vice Chairman Royce Duplessis
House Committee on House and Governmental Affairs

Date adopted: October 7, 2020