

House Committee on Municipal, Parochial and Cultural Affairs

Minutes of Meeting
2022 Regular Session
May 5, 2022

I. CALL TO ORDER

Representative Rick Edmonds, chairman of the House Committee on Municipal, Parochial and Cultural Affairs, called the meeting to order at 9:33 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Rick Edmonds, chairman
Representative Mary DuBuisson
Representative Les Farnum
Representative Barbara Reich Freiberg
Representative Foy Bryan Gadberry
Representative Cedric B. Glover
Representative Kyle M. Green, Jr.
Representative Timothy P. Kerner
Representative Rodney Lyons
Representative C. Denise Marcelle
Representative Scott McKnight
Representative Candace N. Newell
Representative Rodney Wayne Schamerhorn
Representative Joseph A. Stagni, vice chairman
Representative Matthew Willard

MEMBERS ABSENT:

Representative Bryan Fontenot

STAFF MEMBERS PRESENT:

Tina Righteous, attorney
David Gauthier, analyst
Alexandra Cravins, committee administrative assistant
Jennifer Watson, committee assistant

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms
Angela McKnight, sergeant at arms
Hailey Austin, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 960 by Representative Wilford Carter

Representative Wilford Carter presented House Bill No. 960, which creates the North Lake Charles Economic Development District. Representative Carter provided a handout, "City of Lake Charles Resolution 101-22", Exhibit A, which is included in the committee records.

Kyle Edmiston, Visit Lake Charles, 1205 North Lakeshore Drive, Lake Charles, LA 70601, (318) 278-7431, spoke in opposition to House Bill No. 960.

Representative Edmonds offered a motion to voluntarily defer action on House Bill No. 960. Without objection, action on House Bill No. 960 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Kerner, McKnight, Newell, Schamerhorn, Stagni, and Willard voted yea.

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

House Bill No. 458 by Representative St. Blanc

Representative St. Blanc presented House Bill No. 458, which provides relative to the powers granted to the city of Franklin to regulate the storing and abandoning of junk or junked vehicles.

Representative Edmonds offered a motion to voluntarily defer action on House Bill No. 458. Without objection, action on House Bill No. 458 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Glover, Green, Kerner, Lyons, McKnight, Newell, Schamerhorn, Stagni, and Willard voted yea.

House Bill No. 355 by Representative Charles Owen

Representative Charles Owen presented House Bill No. 355, which prohibits municipalities from enacting certain regulations relative to fuel retailers and transportation infrastructure.

Representative Stagni offered amendments to House Bill No. 355 that:

1. Prohibited the adoption of any directive or executive order that prohibits the siting, development, or redevelopment of a fuel retailer or related transportation infrastructure.
2. Removed provisions that prohibited the adoption of ordinances and other regulations that results in defacto prohibition of a fuel retailer or related transportation infrastructure.
3. Removed provisions that prohibited requiring a fuel retailer to install or invest in a particular kind of fueling infrastructure.
4. Removed provisions that authorized the adoption of ordinances and other regulations that are not inconsistent with state law regarding the siting, development, or redevelopment of a fuel retailer or related transportation infrastructure.
5. Added provisions that authorized parishes, municipalities, other local governmental entities, and public and private groups to further define and regulate fuel retailers and related transportation infrastructure.

Representative Stagni offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Edmonds, Farnum, Freiberg, Gadberry, Glover, Kerner, Lyons, McKnight, Schamerhorn, and Stagni voted yea.

Representative Freiberg offered a motion to report House Bill No. 355 with amendments. Without objection, House Bill No. 355 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Edmonds, Farnum, Freiberg, Gadberry, Glover, Kerner, Lyons, McKnight, Schamerhorn, and Stagni voted yea.

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

Senate Bill No. 237 by Senator Fields

On behalf of Senator Fields, Representative Marcelle presented Senate Bill No. 237, which creates the Sagefield Crime Prevention District in East Baton Rouge Parish.

Representative Marcelle offered a motion to report Senate Bill No. 237 favorably. Without objection, Senate Bill No. 237 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Edmonds, DuBuisson, Freiberg, Gadberry, Glover, Kerner, Lyons, Marcelle, McKnight, Newell, Schamerhorn, and Stagni voted yea.

Larry Galloway, 9426 Crandon Drive, Baton Rouge, LA 70810, (225) 252-5624, spoke in support of Senate Bill No. 237.

Jeralynn Galloway, 9426 Crandon Drive, Baton Rouge, LA 70810, (225) 252-5624, spoke in support of Senate Bill No. 237.

House Bill No. 854 by Representative Stagni

Representative Stagni presented House Bill No. 854, which provides relative to occupational diseases for members in the classified fire service.

Representative Stagni offered amendments to House Bill No. 854 that:

1. Made the extended presumption period applicable only to firefighters or retired firefighters who develop cancer on or after January 1, 2023.
2. Provided that any claim by firefighters or retired firefighters who develop cancer prior to January 1, 2023, is also subject to applicable prescriptive periods for indemnity or medical claims.
3. Added a limitation on the obligation of employers regarding claims filed pursuant to present or proposed law on or after January 1, 2023.

Representative Stagni offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Glover, Kerner, Lyons, Marcelle, Newell, Schamerhorn, Stagni, and Willard voted yea.

Chad Major, Professional Firefighters Association of Louisiana, 8011 Merle Gustafson Drive, Baton Rouge, LA, (225) 572-8483, spoke in support of House Bill No. 854.

Kristin Wall, Louisiana Workers' Compensation Corporation, 2237 South Acadian Thruway, Baton Rouge, LA 70810, (225) 231-0504, spoke in opposition to House Bill No. 854. Ms. Wall presented a handout, "Louisiana Workers' Compensation Corporation Presumptions", Exhibit B, which is included in the committee records.

Angela McGhee, Louisiana Workers' Compensation Corporation, 2237 South Acadian Thruway, Baton Rouge, LA 70808, (225) 231-0524, spoke in opposition to House Bill No. 854.

Jeff Albright, 18153 East Petroleum, Baton Rouge, LA 70809, (225) 975-7171, spoke in opposition to House Bill No. 854.

Wayne Fontana, Louisiana Association of Self-Insured Employees, 1515 Poydras Street, New Orleans, LA 70112, (504) 680-0156, spoke in opposition to House Bill No. 854.

Karen White, Louisiana Municipal Association, 700 North 10th Street, Baton Rouge, LA 70802, (225) 344-5001, spoke in opposition to House Bill No. 854.

Representative Stagni offered a motion to report House Bill No. 854 with amendments, to which Representative Schamerhorn objected. Representative Edmonds offered a substitute motion to recommit House Bill No. 854 to the Committee on Labor and Industrial Relations, to which Representative Stagni objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 6 yeas and 7 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, and Schamerhorn voted yea. Representatives Glover, Green, Kerner, Lyons, Newell, Stagni, and Willard voted nay.

The original motion to report House Bill No. 854 with amendments was considered. The administrative assistant called the roll, and House Bill No. 854 was reported with amendments by a vote of 11 yeas and 2 nays. Representatives Edmonds, DuBuisson, Farnum, Gadberry, Glover, Green, Kerner, Lyons, Newell, Stagni, and Willard voted yea. Representatives Freiberg and Schamerhorn voted nay.

Witness cards submitted by those who did not speak are as follows: 5 in support, and 4 in opposition. Witness cards are included in the committee records.

House Bill No. 1042 by Representative Hilferty

Representative Hilferty presented House Bill No. 1042, which requires certain agencies within the Department of Culture, Recreation and Tourism to evaluate certain drainage projects.

Representative Green offered amendments that limited the drainage projects to which House Bill No. 1042 is applicable to projects that divert water from municipal drainage systems. Representative Green offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Glover, Green, Kerner, Lyons, Newell, Schamerhorn, Stagni, and Willard voted yea.

Mary Kincaid, City of New Orleans, 1601 Perdido Street, New Orleans, LA 70112, (504) 941-0048, spoke in opposition to House Bill No. 1042 and presented a handout, "City of New Orleans Lakeview City Park Hazard Mitigation Project Overview", Exhibit C, which is included in the committee records.

Jennifer Snape, Batture, LLC, 2018 Jena Street, New Orleans, LA 70115, (480) 522-9502, spoke in opposition to House Bill No. 1042.

Nancy Watkins, Louisiana Department of Culture, Recreation and Tourism, no address provided, (225) 342-8201, spoke for information only on House Bill No. 1042.

Representative DuBuisson offered a motion to report House Bill No. 1042 with amendments, to which Representative Willard objected. The administrative assistant called the roll, and House Bill No. 1042 was reported with amendments by a vote of 8 yeas and 6 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Kerner, McKnight, and Schamerhorn voted yea. Representatives Glover, Green, Lyons, Newell, Stagni, and Willard voted nay.

Vice Chairman Stagni in the chair.

Witness cards submitted by those who did not speak are as follows: 3 in opposition. 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 opposition, and 1 for information only. Copies of these statements are included in the committee records.

House Bill No. 193 by Representative Freeman

Representative Freeman presented House Bill No. 193, which provides relative to historic preservation districts and landmarks commissions in the city of New Orleans.

Nathan Lott, Preservation Resource Center, 923 Tchoupitoulas Street, New Orleans, LA 70130, (804) 370-7972, spoke in support of House Bill No. 193.

Chairman Edmonds in the chair.

Eleanor Burke, City of New Orleans Historic District Landmarks Commission, 1300 Perdido Street, New Orleans, LA 70112, (504) 658-4900, spoke in support of House Bill No. 193.

Representative Newell offered a motion to report House Bill No. 193 favorably, to which Representative Schamerhorn objected. The administrative assistant called the roll, and House Bill No. 193 was reported favorably by a vote of 12 yeas and 1 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Glover, Kerner, Lyons, McKnight, Newell, Stagni, and Willard voted yea. Representative Schamerhorn voted nay.

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

House Bill No. 320 by Representative Freeman

Representative Freeman presented House Bill No. 320, which provides relative to the violation of municipal building code ordinances and regulations in the city of New Orleans.

Representative Newell offered a motion to report House Bill No. 320 favorably. No vote was taken.

Representative McKnight offered a substitute motion to involuntarily defer action on House Bill No. 320, to which Representative Willard objected. The administrative assistant called the roll, and action on House Bill No. 320 was involuntarily deferred by a vote of 9 yeas and 5 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Kerner, McKnight, Schamerhorn, and Stagni voted yea. Representatives Glover, Green, Lyons, Newell, and Willard voted nay.

Witness cards submitted by those 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. 1050 by Representative Glover

Representative Glover presented House Bill No. 1050, which provides relative to certain state property.

Representative Glover offered a motion to voluntarily defer action on House Bill No. 1050. Without objection, action on House Bill No. 1050 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Edmonds, DuBuisson, Farnum, Freiberg, Gadberry, Glover, Green, Kerner, Lyons, McKnight, Newell, Schamerhorn, Stagni, and Willard voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:41 p.m.

Respectfully submitted,

Chairman Rick Edmonds
House Committee on Municipal, Parochial and Cultural Affairs

Date adopted: