

HOUSE COMMERCE COMMITTEE

Minutes of Meeting
1997 Regular Session
May 19, 1997

I. CALL TO ORDER

Representative John Travis, Chairman of the House Commerce Committee, called the meeting to order at 9:10 a.m. in Committee Room 1 of the State Capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative John Travis,
Chairman
Representative Robert Barton
Representative Dan Flavin
Representative Mickey Frith
Representative Herman Hill
Representative Michael Michot
Representative Edwin Murray
Representative Gil Pinac
Representative Tank Powell
Representative Diane Winston

MEMBERS ABSENT:

Representative Pete Schneider,
Vice Chairman
Representative Arthur Morrell
Representative Sharon Weston

III. STAFF MEMBERS PRESENT

Cindy Mancuso, Attorney
Sandy Painting, Secretary
Louis Walker and Ed Cailleateau, Sergeants at Arms

IV. DISCUSSION

Senate Bill No. 1466 by Senator Romero

Senator Romero appeared before the committee and introduced Mr. Bill Croft, Assistant Director, Louisiana Office of Emergency Preparedness (OEP), P. O. Box 44217, Baton Rouge, Louisiana, (504) 342-1583, who presented Senate Bill No. 1466 to the committee which provides procedures for telephone calls made to provide emergency notification or information. He stated that Bell South was in support of this bill and asked the committee for its favorable consideration.

Representative Travis clarified that the intent of Senate Bill No. 1466 was for OEP to have access to unlisted telephone numbers in order to advise said individuals of an emergency situation.

There was no further discussion on Senate Bill No. 1466.

Representative Murray made a motion to report Senate Bill No. 1466 favorably. There was no objection and Senate Bill No. 1466 was reported favorably by a vote of 7 yeas and 0 nays. Those voting yeas were Representatives Travis, Barton, Flavin, Frith, Hill, Murray, and Pinac.

House Bill No. 892 by Representative Wilkerson

On behalf of Representative Wilkerson, Representative Murray appeared before the committee to present House Bill No. 892 which deletes references to a barber apprenticeship program and certificates.

At the request of Representative Wilkerson, Representative Murray made a motion to defer action on House Bill No. 892 to which there was no objection. Action on House Bill No. 892 was deferred by a vote of 7 yeas and 0 nays. Those voting yeas were Representatives Travis, Barton, Flavin, Frith, Hill, Murray, and Pinac.

Senate Bill No. 267 by Senator Ullo

On behalf of Senator Ullo, Representative Travis appeared before the committee to present Senate Bill No. 267 which prohibits the use of razors by barbers except for haircutting.

At the request of Senator Ullo, Representative Travis made a motion to defer action on Senate Bill No. 267 to which there was no objection. Action on Senate Bill No. 267 was deferred by a vote of 7 yeas and 0 nays. Those voting yeas were Representatives Travis, Barton, Flavin, Frith, Hill, Murray, and Pinac.

House Resolution No. 40 by Representative Jetson

Representative Jetson appeared before the committee to present House Resolution No. 40 which requests the House Commerce Committee to study the Louisiana maritime industry and asked for favorable consideration.

There was no further discussion on House Resolution No. 40.

Representative Frith made a motion to report House Resolution No. 40 favorably. There was no objection and House Resolution No. 40 was reported favorably by a vote of 7 yeas and 0 nays. Those voting yeas were Representatives Travis, Barton, Flavin, Frith, Hill, Murray, and Pinac.

House Bill No. 2070 by Representative Jetson

Representative Jetson appeared before the committee to present House Bill No. 2070 which prohibits the discrimination of river pilots based on age.

Mr. Jack Lavigne, Associated Branch Pilots, 2420 Athania Pkwy., Metairie, Louisiana, (504) 831-6615, appeared before the committee in opposition to House Bill No. 2070. He stated that there are currently age requirements in the apprenticeship program for pilots due to the long training program of six to seven years. He stated that the training program has been very successful and asked that it not be changed.

Mr. Joe Sanderson, Crescent River Port Pilots, 5137 David Drive, Kenner, Louisiana, (504) 455-3667, appeared before the committee in opposition to House Bill No. 2070. He stated that the age requirements were in the training program because it has been proven in the past that people are harder to train when they are older.

Mr. Michael Delesdernier, Crescent River Port Pilots Assn., #3 Poydras St., Ste. 5 C/D, New Orleans, Louisiana 70130, (504) 392-5018, appeared before the committee in opposition to House Bill No. 2070. He stated that the maximum age of 40 years was in place due to the physical requirements of the job such as climbing as much as 50 feet up the side of ships.

Representative Flavin asked how long had the training program been in place.

Mr. Lavigne stated that pilot groups had been around for about 130 years. He stated that the maximum age for the apprenticeship program for Associated Branch Pilots is 30 years.

Representative Barton asked why the maximum age requirement for the two above apprenticeship programs was different.

Mr. Delesdernier explained that each apprenticeship program was a little different in that one requires obtaining certain coast guard licenses before entering the program and the other requires obtaining the licenses while enrolled in the training program.

Representative Barton asked if there were any other pilot associations.

Mr. Delesdernier stated that there were two other pilot associations, the Lake Charles Pilots and the New Orleans/Baton Rouge Pilots.

Representative Murray stated that House Bill No. 2070 stated that age could not be the sole reason for disqualifying a person.

Mr. Eddie Crawford, NAACP, 3313 Government St., Baton Rouge, Louisiana, (504) 343-1050, appeared before the committee in support of House Bill No. 2070. He stated that age should not be the sole factor in eliminating an individual from a position as lucrative as the pilot association positions.

Representative Jetson thanked Mr. Crawford for his comments. He stated that the requirements for a piloting position should not be based on general criteria but rather the ability of an individual to perform the job and that they should not be denied a position based solely on age. He asked the committee for its favorable vote.

Representative Murray made a motion to report House Bill No. 2070 favorably. Objection was raised and a roll call vote was taken. This motion failed by a vote of 4 yeas and 5 nays. Those voting yea were Representatives Barton, Frith, Hill, and Murray. Those voting nay were Representatives Travis, Flavin, Michot, Pinac, and Winston.

Representative Flavin made a motion to defer action on House Bill No. 2070. There was no objection, and action was deferred on House Bill No. 2070 by a vote of 9 yeas and 0 nays. Those voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston.

House Bill No. 2351 by Representative Jetson

Representative Jetson appeared before the committee to present House Bill No. 2351 which creates a single board of review for all commissioned pilots. He stated that the board would be comprised of 11 people appointed by the governor with the advice and consent of the Senate and that five of the people would be pilots and six people would be non-pilots.

Mr. Eddie Crawford stated that everyone in the state should have the opportunity to become a river pilot if they so desire. He stated that the pilot associations limit the number of individuals and the kinds of individuals who can become a party of their association. He asked that

this problem be dealt with in Louisiana.

Mr. Michael Delesdernier appeared before the committee in opposition to House Bill No. 2351 and stated that this proposed legislation would duplicate regulations which are already in place.

Mr. Jack Levine appeared before the committee in opposition to House Bill No. 2351 and stated that the current regulations were working well and that he saw no need to make any changes.

Mr. Charles Arnolt, Board of Commissioners, Crescent River Port Pilots, P. O. Box 848, Belle Chase, Louisiana 70037, (504) 392-5016, appeared before the committee in opposition of House Bill No. 2351 and reiterated the testimony of the above opposition and also stated that this legislation would downgrade the high standards for application of a pilot position.

Representative Winston stated that Mr. Crawford had made charges of discrimination towards the pilot associations in that there was a loss of opportunity for job positions for certain individuals as this was a close-knit industry.

Mr. Levine stated that anyone that was a resident of the state of Louisiana could apply for any of the state groups and that over the past eight years, 30% of the apprentices were not related in any way and stated that any discrimination charges are unfounded.

Representative Murray asked how the different boards were funded.

Mr. Delesdernier stated that most of the boards were funded through dues and funds collected from the associations that they regulate and that an average cost would be \$5,000 to \$12,000 per year, with no costs to the state.

Representative Jetson stated that he felt there was discrimination as there has not been any black individuals in the pilot industry in the last 130 years.

Representative Murray made a motion to report House Bill No. 2351 favorably. Objection was raised and a roll call vote was taken. This motion failed by a vote of 1 yea and 8 nays. Representative Murray voted yea. Those voting nay were Representatives Travis, Flavin, Frith, Hill, Michot, Pinac, Powell, and Winston.

Representative Pinac made a motion to defer action on House Bill No. 2351. There was no objection, and action was deferred on House Bill No. 2351 by a vote of 9 yeas and 0 nays. Those voting yea were Representatives Travis, Flavin, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

Senate Bill No. 708 by Senator Landry

Senator Landry appeared before the committee to present Senate Bill No. 708 which requires hotels and motels to install approved fire detection and alarm systems for the hearing impaired. He stated that he served on the deaf commission and that this legislation was requested by the deaf community.

Representative Powell stated that he thought this was a good piece of legislation.

Representative Winston asked what the cost to hotels and motels would be to install the new systems.

Senator Landry stated that he did not know what the cost would be to hotels and motels to install the new fire detection and alarm systems but stated that it would only be one new system for every 50 rooms.

Mr. Jerry Jones, Deputy Assistant Secretary, State Fire Marshal's Office, 5150 Florida Blvd., Baton Rouge, Louisiana, (504) 925-4911, appeared before the committee for informational purposes only. He stated that Senate Bill No. 708 basically tracked federal law and that most hotels and motels have already or are in the process of making the modifications needed. He stated that the cost of the modifications should be minimum.

Representative Pinac made a motion to report Senate Bill No. 708 favorably. There was no objection and Senate Bill No. 708 was reported favorably by a vote of 8 yeas and 0 nays. Those voting yeas were Representatives Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston.

Senate Bill No. 960 by Senator Guidry

Representative Murray appeared before the committee on behalf of Senator Guidry to present Senate Bill No. 960 which prohibits certain home solicitation of consumers who are aged persons.

There was no further discussion on Senate Bill No. 960.

Representative Hill made a motion to report Senate Bill No. 960 favorably. There was no objection and Senate Bill No. 960 was reported favorably by a vote of 7 yeas and 0 nays. Those voting yeas were Representatives

Barton, Flavin, Frith, Hill, Michot, Murray, and Winston.

Senate Bill No. 516 by Senator Lentini

On behalf of Senator Lentini, Mr. Jerry Jones, Deputy Assistant Secretary, State Fire Marshal's Office, 5150 Florida Blvd., Baton Rouge, Louisiana, (504) 925-4911, appeared before the committee to present Senate Bill No. 516 which provides that inspections of amusement attractions or rides be conducted by the insurer or surety of the owner-operator. He stated that funding had been included in this year's appropriation bill within the state fire marshal's office to implement an amusement park ride inspections program and that this legislation would enhance the existing state law by requiring, on an annual basis, the inspection of all amusement rides by an engineer who has experience in materials testing or a qualified individual.

Representative Winston asked for a clarification on the inspections performed.

Mr. Jones stated that there were no current inspections because the program has never been funded. He stated that the office of the fire marshal has been identified as the responsible entity for this program in this legislation.

Representative Barton made a motion to report Senate Bill No. 516 favorably. There was no objection and Senate Bill No. 516 was reported favorably by a vote of 8 yeas and 0 nays. Those voting yeas were Representatives Barton, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

House Bill No. 2491 by Representative Clarkson

Representative Murray appeared before the committee as acting chairman and on behalf of Representative Clarkson asked that action be deferred and a study be requested on House Bill No. 2491 which provides for mandatory disclosures upon the sale of residential real property.

Representative Pinac made a motion to defer action on House Bill No. 2491 and that the committee study this issue during the interim, to which there was no objection. Action on House Bill No. 2491 was deferred by a vote of 8 yeas and 0 nays. Those voting yeas were Representatives Barton, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

Senate Bill No. 1399 by Senator Campbell

On behalf of Senator Campbell, Representative Barton appeared before the committee to present Senate Bill No. 1399 which authorizes municipalities to create a trust fund for public cemeteries and to provide that such funds can only be used for expenses of the cemeteries.

Representative Pinac urged the committee to vote favorably for Senate Bill No. 1399 as he felt this was needed legislation.

Representative Winston stated that local municipalities should not be mandated by the state.

Representative Pinac made a motion to report Senate Bill No. 1399 favorably. There was objection and a roll call vote was taken. Senate Bill No. 1399 was reported favorably by a vote of 5 yeas and 3 nays. Those voting yea were Representatives Barton, Frith, Michot, Murray, and Pinac. Those voting nay were Representatives Hill, Powell, and Winston.

House Bill No. 2120 by Representative Travis

On behalf of Representative Travis, Mr. Irvin Magri, Jr., State President, Louisiana State Society of Professional Investigators, 4217 Arkansas Avenue, Kenner, Louisiana 70065, (504) 443-0002, appeared before the committee to present House Bill No. 2120 which revises the provisions regulating private investigators.

There was no further discussion on House Bill No. 2120.

Representative Frith made a motion to report House Bill No. 2120 favorably. There was no objection and House Bill No. 2120 was reported favorably by a vote of 8 yeas and 0 nays. Those voting yea were Representatives Barton, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

Senate Bill No. 1322 by Senator Jones

On behalf of Senator Jones, Representative Murray appeared before the committee to present Senate Bill No. 1322 which redesignates the Louisiana Open Housing Act as the Louisiana Equal Housing Opportunity Act. He stated that the fiscal note reflected no impact.

There was no further discussion on Senate Bill No. 1322.

Representative Powell made a motion to report Senate Bill No. 1322 favorably. There was no objection and Senate Bill No. 1322 was reported favorably by a vote of 8 yeas and 0 nays. Those voting yea were Representatives Barton, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

Senate Bill No. 1404 by Senator Lambert

On behalf of Senator Lambert, Representative Murray appeared before the committee at the request of Representative Travis to present Senate Bill No. 1404 which provides for changes to the "Louisiana Real Estate Certification Law".

Representative Pinac stated that he had met with certain individuals from the real estate business and that it was not certain at this time exactly what was the intent of this legislation.

Representative Flavin stated that he had also met with certain real estate individuals and asked that action be deferred on this legislation at this time.

Representative Flavin made a motion to defer action on House Bill No. 1404 until the next meeting. There was no objection and action on House Bill No. 1404 was deferred by a vote of 8 yeas and 0 nays. Those voting yeas were Representatives Barton, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

House Bill No. 2443 by Representative Glover

Representative Murray, as acting chairman, asked that a motion be made to defer action on House Bill No. 2443 as Representative Glover was not present. House Bill No. 2443 provides relative to consumer loans of less than \$500.

Representative Powell made a motion to defer action on House Bill No. 2443 until the next meeting. There was no objection and action on House Bill No. 2443 was deferred by a vote of 8 yeas and 0 nays. Those voting yeas were Representatives Barton, Frith, Hill, Michot, Murray, Pinac, Powell, and Winston.

V. OTHER BUSINESS

There was no other business discussed.

VI. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

John Travis, Chairman

Date Approved: _____