

House Committee on Commerce

Minutes of Meeting
2016 Regular Session
April 4, 2016

I. CALL TO ORDER

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 10:31 a.m. in Room 1, in the State Capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Thomas G. Carmody, Jr., chairman
Representative Chad Brown
Representative Patrick Connick
Representative Jean-Paul P. Coussan
Representative Reid Falconer
Representative Paul Hollis, vice chairman
Representative Patrick O. Jefferson
Representative Joseph P. Lopinto III
Representative Rodney Lyons
Representative Helena N. Moreno
Representative J. Kevin Pearson
Representative Edward J. Price
Representative Stephen E. Pugh
Representative H. Eugene Reynolds
Representative Robert E. Shadoin

MEMBERS ABSENT:

Representative John F. "Andy" Anders
Representative Kenny R. Cox
Representative Cedric B. Glover
Representative Christopher J. Leopold

STAFF MEMBERS PRESENT:

Sandy Painting, secretary
Rashida Keith, attorney
Thomas Devillier, attorney

ADDITIONAL ATTENDEES PRESENT:

Beverly Vincent, sergeant at arms
Jefferson Honeywell, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 249 by Representative Carmody

Representative Carmody presented House Bill No. 249, which provides relative to the regulation of regional notification centers.

Mr. Emory Belton, LA One Call, 301 Main St., Ste. 2100, Baton Rouge, LA 70825, (225) 615-0212, spoke in support of House Bill No. 249.

Mr. Charles Nelson, Colonial Pipeline, 1476 Hwy. 61, Jackson, LA 70748, (225) 570-3011, spoke in support of House Bill No. 249.

Witness cards submitted by individuals on House Bill No. 249 who did not speak are as follows: 17 in support. Witness cards are included in the committee records.

Representative Hollis offered amendments to House Bill No. 249, which would exempt specified regional notification centers from certain geographic requirements. Representative Hollis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Falconer, Hollis, Jefferson, Lyons, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

Representative Lyons offered a motion to report House Bill No. 249 with amendments. Without objection, House Bill No. 249 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Falconer, Hollis, Jefferson, Lyons, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

House Bill No. 250 by Representative Carmody

Representative Carmody presented House Bill No. 250, which provides relative to the administration and regulation of underground utilities and facilities.

Representative Hollis offered amendments to House Bill No. 250, which would clarify and reorganize the definition of "excavation" or "excavate" and would provide an exception to the definition of "excavation" or "excavate" by excluding certain circumstances resulting as a consequence of any force majeure, act of God, or act of nature. Representative Hollis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Falconer, Hollis, Jefferson, Lopinto, Lyons, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

Mr. Emory Belton, LA One Call, 301 Main St., Ste. 2100, Baton Rouge, LA 70825, (225) 615-0212, spoke in support of House Bill No. 250.

Witness cards submitted by individuals on House Bill No. 250 who did not speak are as follows: 21 in support. Witness cards are included in the committee records.

Representative Carmody offered a motion to report House Bill No. 250 with amendments. Without objection, House Bill No. 250 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Falconer, Hollis, Jefferson, Lopinto, Lyons, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

House Bill No. 729 by Representative Montoucet

Representative Montoucet presented House Bill No. 729, which provides relative to nonprofit water utility cooperatives wholly owned by water users.

Representative Carmody offered amendments to House Bill No. 729, which would remove the provisions of the bill requiring a board of a water cooperative to conduct an election of its water user members when the board requests approval of a rate change and would require that any rate change be made only after the board conducts a vote in accordance with the procedures required by the bylaws of the water cooperative and when that vote is approved by a majority of the board. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Falconer, Hollis, Jefferson, Lopinto, Lyons, Moreno, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

Mr. Pat Credeur, Louisiana Rural Water Association, (no address provided), (337) 738-2896, spoke in support of House Bill No. 729.

Mr. Rusty Reeves, Louisiana Rural Water Association, P. O. Box 180, Kinder, LA 70648, (337) 738-2896, spoke in support of House Bill No. 729.

Mr. Colby Cook, Louisiana Public Service Commission, Baton Rouge, LA, (225) 342-4427, spoke for information only on House Bill No. 729.

Mr. Brandon Frey, Louisiana Public Service Commission, Baton Rouge, LA, (225) 342-9888, spoke for information only on House Bill No. 729.

Witness cards submitted by individuals on House Bill No. 729 who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

Representative Price offered a motion to report House Bill No. 729 with amendments. Without objection, House Bill No. 729 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Hollis, Jefferson, Lopinto, Lyons, Moreno, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

House Bill No. 154 by Representative Montoucet

Representative Montoucet presented House Bill No. 154, which limits the power of the Public Service Commission to regulate nonprofit water utility cooperatives wholly owned by water users.

Witness cards submitted by individuals on House Bill No. 154 who did not speak are as follows: 8 in support and 1 for information only. Witness cards are included in the committee records.

Representative Price offered a motion to report House Bill No. 154 favorably. Without objection, House Bill No. 154 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Hollis, Jefferson, Lopinto, Lyons, Moreno, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

House Bill No. 310 by Representative Connick

Representative Connick presented House Bill No. 310, which provides relative to the authority of the Public Service Commission regarding pass-through charges.

Representative Connick offered amendments to House Bill No. 310, which would move proposed law from R.S. 45:1163.2(G) to R.S. 45:1163(C); would change "may" to "shall" to the require the commission to adjust fuel adjustment charges; and would require the commission to adjust fuel adjustment charges no less frequently than every other year. Representative Connick offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Hollis, Jefferson, Lopinto, Lyons, Pearson, Reynolds, and Shadoin voted yea.

Mr. Brandon Frey, Louisiana Public Service Commission, Baton Rouge, LA, (225) 342-9888, spoke for information only on House Bill No. 310.

Representative Price offered a motion to report House Bill No. 310 with amendments. Without objection, House Bill No. 310 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Hollis, Jefferson, Lopinto, Lyons, Pearson, Price, Pugh, Reynolds, and Shadoin voted yea.

IV. OTHER BUSINESS

There was no other business discussed.

V. ANNOUNCEMENTS

There were no other announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:01 p.m.

Respectfully submitted,

Chairman Thomas G. Carmody, Jr.
House Committee on Commerce