

House Committee on Transportation, Highways and Public Works

Minutes of Meeting
2016 Regular Session
April 19, 2016

I. CALL TO ORDER

Representative Kenneth E. Havard, chairman of the House Committee on Transportation, Highways and Public Works, called the meeting to order at 9:34 a.m. in Room 3, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Kenneth E. Havard, chairman
Representative Terry R. Brown
Representative A B Franklin
Representative Jerry Gisclair
Representative John E. Guinn
Representative Jeffrey "Jeff" Hall
Representative Dorothy Sue Hill
Representative Frank A. Howard
Representative Terry C. Landry, Sr., vice chairman
Representative H. Bernard LeBas
Representative C. Denise Marcelle
Representative Jack Montoucet
Representative Vincent J. Pierre
Representative J. Rogers Pope
Representative Malinda B. White

MEMBERS ABSENT:

Representative Bryan Adams
Representative Barbara W. Carpenter
Representative Stephen F. Carter
Representative Barbara M. Norton

STAFF MEMBERS PRESENT:

Kimberly Callaway, attorney
Ashleigh Clare-Kearney, attorney

Angelique R. Mozee, secretary

ADDITIONAL ATTENDEES PRESENT:

Beverly Hurst, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 682 by Representative Leger

Representative Havard announced that action on House Bill No 682, which provides relative to the Southeast Flood Protection Authority East and West Bank, is being voluntarily deferred.

House Bill No. 1119 by Representative Pylant

Representative Havard announced that action on House Bill No. 1119, which prohibits state monies from being used to pay for state highway designations in honor or memory of a person or event, is being voluntarily deferred.

House Concurrent Resolution No. 39 by Representative Hodges

Representative Hodges presented House Concurrent Resolution No. 39, which continues the Comite River Diversion Canal Task Force for the purpose of studying and making recommendations on the actions necessary to complete the Comite River Diversion Canal Project.

Representative Pope offered an amendment to make a technical change. Representative Pope offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted yea.

Representative Pope offered a motion to report House Concurrent Resolution No. 39 with amendments. Without objection, House Concurrent Resolution No. 39 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, LeBas, Marcelle, Pierre, Pope, and White voted yea.

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

House Bill No. 245 by Representative Marcelle

Representative Marcelle presented House Bill No. 245, which provides for methods of payment for debts owed to the office of motor vehicles.

Staci Hoyt, office of motor vehicles, P. O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 245.

Representative Marcelle offered amendments to:

1. Make all outstanding amounts due under an installment agreement final debt upon termination of an installment agreement.
2. Provide that upon termination of an installment agreement executed pursuant to proposed law, all outstanding amounts due under the installment agreement would final debt as defined by present law.
3. Provide that any installment agreement entered into pursuant to proposed law would constitute a waiver by the debtor of any right to administrative or judicial review regarding sums due under an installment agreement.
4. Provide that any notices provided to a debtor who enters into an installment agreement pursuant to proposed law would constitute satisfaction of the notice requirements of present law.
5. Specify that notice provided to a debtor who enters into an installment agreement with the office of motor vehicles would constitute satisfaction of any notice required by present law.
6. Change the minimum amount owed for which a debtor can enter into an installment agreement to pay from \$100 to \$250.
7. Require a debtor to make fixed monthly equal installment payments. Specify that the number of payments would be based upon the total amount owed, with a longer period of time to pay if the debtor owes more.
8. Require that the first payment of an installment agreement be made when the installment agreement is executed.
9. Require that all installment agreement payments would have to be by electronic automated transactions. Specify that this could be a bank draft, electronic funds transfer, credit or debit card including but not limited to reloadable prepaid debit or credit cards.

10. Authorize the commissioner of the office of motor vehicles to suspend an installment agreement for up to 60 days upon a showing of good cause. Specify that any such suspension would increase the term of the installment agreement by that time.
11. Allow a debtor 60 days rather than 30 days to become current with installment payments upon a missed payment.
12. Specify that if a debtor did not bring his installment agreement current or have the agreement reinstated within the 60-day period, certain debt would be final and required to be turned over to the office of debt recovery for collection and other debt would be final and allowed to be turned over to the office of debt recovery for collection.
13. Provide that the office of motor vehicles is not to be considered a debt collection agency as defined in present law.
14. Allow the office of debt recovery to provide administrative and collection services for installment agreements.
15. Allow the office of debt recovery to charge certain transaction and processing fees for collecting installment payments.
16. Provide that during the term of an installment agreement that debt cannot be referred to the office of debt recovery or the attorney general for collection.
17. Make technical changes.

Representative Marcelle offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Havard, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted yea.

Representative Franklin offered a motion to report House Bill No. 245 with amendments. Without objection, House Bill No. 245 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted yea.

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. 244 by Representative Pugh

Representative Pugh presented House Bill No. 244, which extends term limit for South Tangipahoa Parish Port Commission to three full terms.

Representative White offered a motion to report House Bill No. 244 favorably. Without objection, House Bill No. 244 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted yea.

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

House Bill No. 1113 by Representative Franklin

Representative Franklin presented House Bill No. 1113, which authorizes the Department of Transportation and Development to erect signs along a state highway where a church is located indicating parking is permitted during worship service and provided a handout, Exhibit A, which is included in the committee records.

Chance McNeely, Department of Transportation and Development, 2102 Capitol Access Road, Baton Rouge, Louisiana 70802, (225) 379-1089, spoke for information only on House Bill No. 1113.

Representative Havard offered amendments to:

1. Authorize the Department of Transportation and Development to erect signs in certain locations indicating parking is permitted during worship service and the manner in which the location, size, and design of such signs shall be determined.
2. Make technical changes.

Representative Havard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted yea.

Representative Gisclair offered a motion to voluntarily defer action on House Bill No. 1113. Without objection, action on House Bill No. 1113 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Havard, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Montoucet, Pierre, Pope, and White voted yea.

House Bill No. 1087 by Representative Gregory Miller

Representative Gregory Miller presented House Bill No. 1087, which provides relative to the Lafourche Basin Levee District.

Representative Montoucet offered amendments to:

1. Make a technical change.
2. Eliminate the provision directing the West Jefferson Levee District, the Orleans Levee District, Plaquemines Parish, St. Charles Parish, and other commissions, districts, state agencies, departments and political subdivisions of the state to assist and cooperate with the department and instead direct those entities to assist and cooperate in carrying out the provisions of present and proposed law.

Representative Montoucet offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Montoucet, Pierre, Pope, and White voted yea.

Representative Gisclair offered a motion to report House Bill No. 1087 with amendments. Without objection, House Bill No. 1087 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Gisclair, Guinn, Terry Landry, Hall, Hill, Howard, Terry Landry, Montoucet, Pierre, Pope, and White voted yea.

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

House Bill No. 1063 by Representative Robby Carter

Representative Robby Carter presented House Bill No. 1063, which provides that certain fees assessed by the office of motor vehicles for failure to maintain automobile liability insurance become final delinquent debt sixty days after receipt of notice by the owner.

Staci Hoyt, Office of Motor Vehicles, P. O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 1063.

Karen St. Germain, commissioner, Office of Motor Vehicles, P. O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 1063.

Jarrold J. Coniglio, Office of Debt Recovery, 617 North Third Street, Baton Rouge, Louisiana 70896, (225) 341-9122, spoke for information only on House Bill No. 1063.

Representative Havard offered amendments in the form of a substitute bill to House Bill No. 1063. Representative Havard offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Montoucet, Pierre, and Pope voted yea.

Representative Havard offered a motion to voluntarily defer action on House Bill No. 1063. Without objection, action on House Bill No. 1063 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hill, Terry Landry, LeBas, Montoucet, and Pierre voted yea.

Further action was taken by the committee on House Bill No. 1063 on May 2, 2016. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 1063.

House Bill No. 1119 by Representative Pylant

Representative Pylant presented House Bill No. 1119, which prohibits state monies from being used to pay for state highway designations in honor or memory of a person or event.

Chance McNeely, Department of Transportation and Development, 2102 Capitol Access Road, Baton Rouge, Louisiana 70802, (225) 379-1089, spoke for information only on House Bill No. 1119.

Representative Havard offered a motion to voluntarily defer action on House Bill No. 1119. Without objection, action on House Bill No. 1119 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Havard, Terry Brown, Franklin, Gisclair, Guinn, Hill, Terry Landry, LeBas, Marcelle, and White voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:27 a.m.

Respectfully submitted,

Chairman Kenneth E. Havard
House Committee on Transportation, Highways, and Public Works

Date adopted: