

## House Committee on Commerce

Minutes of Meeting  
2018 Regular Session  
March 20, 2018

### **I. CALL TO ORDER**

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 9:39 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 John F. "Andy" Anders  
Representative Chad Brown  
Representative Patrick Connick  
Representative Jean-Paul P. Coussan  
Representative Kenny R. Cox  
Representative Cedric B. Glover  
Representative Stephanie Hilferty  
Representative Paul Hollis, vice chairman  
Representative Patrick O. Jefferson  
Representative Edmond Jordan  
Representative Christopher J. Leopold  
Representative Rodney Lyons  
Representative Stephen E. Pugh  
Representative H. Eugene Reynolds  
Representative Robert E. Shadoin  
Representative Polly Thomas

#### **MEMBERS ABSENT:**

Representative Helena N. Moreno  
Representative J. Kevin Pearson

#### **STAFF MEMBERS PRESENT:**

Rashida Keith, attorney  
Halie Guidry, legislative analyst  
Sandy Painting, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Beverly Vincent, sergeant at arms  
Patricia Harris, clerk

**III. DISCUSSION OF LEGISLATION****House Bill No. 489 by Representative Carmody**

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 489, which would require the Used Motor Vehicle Commission to report information collected by salvage pools and salvage disposal sales. Without objection, action on House Bill No. 489 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Coussan, Cox, Hilferty, Hollis, Jefferson, Leopold, Lyons, Shadoin, and Thomas voted yea.

**House Bill No. 503 by Representative Carmody**

Representative Carmody presented House Bill No. 503, which protects certain individuals from financial exploitation.

Representative Hollis offered amendments to House Bill No. 503, which would correct the citation relative to the Adult Protective Services Act; require a covered financial institution to notify employees of their ability to report potential financial exploitation of an eligible adult to personnel within the respective covered financial institution; require a covered financial institution delaying a financial transaction to send, within two business days of the delay, written notification of the delay and reasons therefor to all parties authorized to transact business on the account, unless any such party is reasonably believed to have engaged in attempted financial exploitation of the eligible adult; clarify the intent of prohibiting persons from bringing claims against any covered agency or the state in connection with the receipt of or in response to any notice of financial exploitation; and change the effective date from January 1, 2019 to October 1, 2018. Without objection, said amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Coussan, Cox, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Shadoin, and Thomas voted yea.

Mr. Joe Gendron, Louisiana Bankers Association, 5555 Bankers Avenue, Baton Rouge, LA 70808, (225) 214-4837, spoke in support of House Bill No. 503.

Mr. John Ducrest, Office of Financial Institutions, 8660 United Plaza Blvd., Baton Rouge, LA 70809, (225) 922-2627, spoke in support of House Bill No. 503.

Representative Cox offered a motion to report House Bill No. 503 with amendments. Without objection, House Bill No. 503 was reported with amendments by a vote of 17 yeas and 0 nays.

Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Reynolds, Shadoin, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 514 by Representative Shadoin**

Representative Shadoin presented House Bill No. 514, which provides relative to the La. Used Motor Vehicle Commission.

Representative Carmody offered amendments to House Bill No. 514, which would provide changes to statutory citations and language; delete present and proposed law relative to the rent with option-to-purchase program; delete present law provision prohibiting unlicensed persons from engaging in the business of a used motor vehicle salesperson for any used motor vehicle dealer; add a prohibition relative to "selling a used motor vehicle either with a waiver of warranties or 'as is' without completing and providing the purchaser a buyers guide if required by the Federal Trade Commission"; modify proposed law to authorize a local dealership manager to complete required educational requirements; and provide that educational requirements of proposed law do not apply to a licensee who does not sell or rent used motor vehicles to consumers. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Reynolds, Shadoin, and Thomas voted yea.

Representative Pugh offered an amendment to House Bill No. 514, which would provide that provisions of law administered by the Louisiana Motor Vehicle Commission are not applicable in consideration of violations relative to the Louisiana Used Motor Vehicle Commission. Without objection, the amendment was adopted by a vote of 17 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Reynolds, Shadoin, and Thomas voted yea.

Ms. Sheri Morris, Louisiana Used Motor Vehicle Commission, 8480 Bluebonnet Blvd., Suite F, Baton Rouge, LA 70810, (225) 421-1800, spoke for information only on House Bill No. 514.

Representative Pugh offered a motion to report House Bill No. 514 with amendments. Without objection, House Bill No. 514 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hilferty, Hollis, Leopold, Lyons, Pugh, Reynolds, Shadoin, and Thomas voted yea.

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. 680 by Representative Leger**

Representative Leger presented House Bill No. 680, which provides relative to the Major Events Incentive Program Fund and Louisiana Economic Development.

Representative Carmody offered amendments to House Bill No. 680, which would add language to specify that the requirements for funding apply to qualified major events and provide that qualified major events must meet either of two requirements plus one additional requirement to obtain funding. Without objection, said amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Coussan, Glover, Hilferty, Hollis, Jordan, Leopold, Lyons, Pugh, Reynolds, and Thomas voted yea.

Mr. Jay Cicero, GNO Sports Foundation, 320 Metairie Hammond Hwy., Metairie, LA 70005, (504) 915-6361, spoke in support of House Bill No. 680.

Ms. Mandi Mitchell, Louisiana Department of Economic Development, 617 N. Third St., Baton Rouge, LA 70802, (no phone number provided), spoke for information only on House Bill No. 680.

Representative Thomas offered a motion to report House Bill No. 680 with amendments. Without objection, House Bill No. 680 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Glover, Hilferty, Hollis, Jordan, Leopold, Lyons, Reynolds, Shadoin, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

**House Bill No. 591 by Representative Leger**

Representative Leger presented House Bill No. 591, which creates the Louisiana Small Business and Entrepreneurship Council.

Representative Carmody offered amendments to House Bill No. 591, which would change the requirement that the board of directors include a representative submitted by the Louisiana Economic Alliance to a representative submitted by the Louisiana Alliance for Economic Inclusion; remove the requirement that a board member be appointed from a list of three private sector individuals submitted by the Community Bankers Association, and provide instead that one representative be submitted by that association; require that the board of directors include one minority small business owner, who is appointed by the governor from a list of three private sector individuals submitted by Louisiana based organizations representing minority business interests, be appointed to the board of directors; require that one female small business owner, who is appointed by the governor from a list of three private sector individuals submitted by Louisiana-based organizations representing

women's business interests, be appointed to the board of directors; and correct reference to the secretary of the Department of Economic Development as "president of the corporation" to "president of the council". Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Glover, Hilferty, Hollis, Jordan, Leopold, Lyons, Reynolds, and Shadoin voted yea.

Ms. Mandi Mitchell, Louisiana Department of Economic Development, 617 N. Third St., Baton Rouge, LA 70802, (no phone number provided), spoke for information only on House Bill No. 591.

Representative Hilferty offered a motion to report House Bill No. 591 with amendments. Without objection, House Bill No. 591 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Cox, Glover, Hilferty, Hollis, Jordan, Leopold, Lyons, Reynolds, Shadoin, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

#### **House Bill No. 459 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 459, which provides for the transfer of small deposits upon the death of an intestate depositor.

Mr. Joe Gendron, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 214-4837, spoke in support of House Bill No. 459.

Representative Shadoin offered a motion to report House Bill No. 459 favorably. Without objection, House Bill No. 459 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Reynolds, Shadoin, and Thomas 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. 360 by Representative Garofalo**

Representative Garofalo presented House Bill No. 360, which provides for electronic notifications to board members and stockholders of banks, savings and loan associations, and savings banks.

Mr. Joe Gendron, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 214-4837, spoke in support of House Bill No. 360.

Mr. David Boneno, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 214-4836, spoke in support of House Bill No. 360.

Representative Thomas offered a motion to report House Bill No. 360 favorably. Without objection, House Bill No. 360 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Reynolds, and Thomas voted yea.

#### **House Bill No. 305 by Representative Jefferson**

Representative Jefferson presented House Bill No. 305, which provides relative to the Louisiana Economic Development Corporation.

Ms. Mandi Mitchell, Louisiana Department of Economic Development, 617 N. Third St., Baton Rouge, LA 70802, (no phone number provided), spoke for information only on House Bill No. 305.

Representative Lyons offered a motion to report House Bill No. 305 favorably. Without objection, House Bill No. 305 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Glover, Hollis, Jefferson, Jordan, Leopold, Lyons, Reynolds, and Thomas 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.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 11:59 a.m.

Respectfully submitted,

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