

House Committee on Commerce

Minutes of Meeting
2018 Regular Session
March 26, 2018

I. CALL TO ORDER

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 10:03 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 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 J. Kevin Pearson
Representative Stephen E. Pugh
Representative H. Eugene Reynolds
Representative Robert E. Shadoin
Representative Polly Thomas

MEMBERS ABSENT:

Representative John F. "Andy" Anders
Representative Patrick Connick
Representative Helena N. Moreno

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Beverly Vincent, sergeant at arms

Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 491 by Representative Johnson**

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 491, which provides relative to examination and licensing fees assessed by the Louisiana State Board of Cosmetology. Without objection, action on House Bill No. 491 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Hollis, Jefferson, Jordan, Leopold, Pugh, Reynolds, Shadoin, and Thomas voted yea.

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

House Bill No. 623 by Representative Emerson

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 623, which repeals relative to interior designers. Without objection, action on House Bill No. 623 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Hollis, Jefferson, Jordan, Leopold, Pugh, 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. 639 by Representative Emerson

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 639, which exempts the exclusive practices of shampooing and threading from regulation by the Louisiana State Board of Cosmetology. Without objection, action on House Bill No. 639 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Hollis, Jefferson, Jordan, Leopold, Pugh, Reynolds, Shadoin, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 3 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 7 by Representative Emerson

Representative Emerson presented House Concurrent Resolution No. 7, which amends and repeals administrative licensing requirements relative to alternative hair and alternative hair design.

Mr. Artur Davis, Institute for Justice, no address provided, (202) 441-3084, spoke in support of House Concurrent Resolution No. 7.

Mr. Edwin Neill, Louisiana State Board of Cosmetology, 303 S. Pine St., Hammond, LA 70403, spoke for information only on House Concurrent Resolution No. 7.

Ms. Sheri Morris, Louisiana State Board of Cosmetology, 8480 Bluebonnet Blvd., Baton Rouge, LA 70810, (225) 421-1800, spoke for information only on House Concurrent Resolution No. 7.

Ms. Montoya Martin, Aveda Institute, no address provided, (225) 200-8641, spoke in opposition to House Concurrent Resolution No. 7.

Mr. Willie Payne, Baton Rouge, LA, (225) 337-9791, spoke in opposition to House Concurrent Resolution No. 7.

Witness cards submitted by individuals who did not speak are as follows: 21 in support and 2 in opposition. Witness cards are included in the committee records.

Representative Thomas offered a motion to report House Concurrent Resolution No. 7 favorably, to which Representative Pugh objected. The secretary called the roll, and House Concurrent Resolution No. 7 was reported favorably by a vote of 10 yeas and 6 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Hilferty, Hollis, Pearson, Reynolds, Shadoin, and Thomas voted yea. Representatives Glover, Jefferson, Jordan, Leopold, Lyons, and Pugh voted nay.

House Bill No. 564 by Representative Emerson

Representative Emerson presented House Bill No. 564, which provides for unregulated services within the Louisiana Cosmetology Act.

Representative Carmody offered amendments to House Bill No. 564, which would require the board to maintain a list of persons who both perform natural hair braiding services and meet certain requirements; require the board to provide a weblink to the brochure and online training on the board's public website; make available a copy of the brochure to any interested person; acknowledge the person's completion of the self-test or online training and issue a certificate of completion to the person; provide that failure of the board to offer the sanitation brochure or online sanitation training waives the person's requirement to annually certify to the board that such person reviewed the brochure on sanitation and completed the self-test contained within the brochure or completed an

online sanitation training video developed by the board; provide that any person permitted as an alternative hair designer before January 1, 2019 is to be able to perform natural hair braiding in licensed salons without the necessity of compliance with proposed law or related administrative rules; require the board to adopt administrative rules prior to the effective date of proposed law; and make technical changes. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pearson, Pugh, Reynolds, and Thomas voted yea.

Ms. Evangela Robertson, 706 Long Bayou Lane, Shreveport, LA 71106, (404) 957-6341, spoke in support of House Bill No. 564.

Ms. Nelda Dural, Lafayette, LA (337) 256-1177, spoke in support of House Bill No. 564.

Mr. Freddie Phillips, 8055 Hank Dr., Baton Rouge, LA 70812, (225) 229-3341, spoke in support of House Bill No. 564.

Ms. Hilary Torry, Aveda Institute, 837 Golden Gram Rd., Duson, LA 70529, (337) 446-1370, spoke in opposition to House Bill No. 564.

Ms. Keri Choplin, Aveda Institute, 2922 Johnston St., Lafayette, LA 70583, (337) 789-4229, spoke in opposition to House Bill No. 564.

Witness cards submitted by individuals who did not speak are as follows: 32 in support, 4 in opposition, and 2 for information only. Witness cards are included in the committee records.

Representative Coussan offered a motion to report House Bill No. 564 with amendments, to which Representative Jordan objected. The secretary called the roll, and House Bill No. 564 was reported with amendments by a vote of 11 yeas and 3 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Hollis, Jefferson, Leopold, Lyons, Pearson, Reynolds, and Thomas voted yea. Representatives Glover, Jordan, and Pugh voted nay.

House Bill No. 419 by Representative Edmonds

Representative Edmonds presented House Bill No. 419, which provides relative to inspections of life safety systems and equipment.

Representative Carmody offered amendments to House Bill No. 419, which would provide that a person who fails to comply with an order issued by the fire marshal may be issued a first warning and ordered to comply with the initial order; would remove language relative to the fire marshal's authorized representative; would give the fire marshal discretion relative to the issuance of criminal penalties for failure to comply with an order; would provide that persons who fail to comply with a second order issued by the fire marshal may be fined not more than \$500 or imprisoned for not

more than 6 months, or both; would redesignate language relative to the fire marshal's authorization of fire prevention bureaus to enforce the provisions of present and proposed law; would provide for nothing in present and proposed law to be construed to prevent the fire marshal from enforcing the provisions of present law. Without objection, said amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jordan, Leopold, Lyons, Pugh, Reynolds, and Thomas voted yea.

Mr. Butch Browning, Louisiana State Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806, (225) 806-0803, spoke for information only on House Bill No. 419.

Representative Pugh offered a motion to report House Bill No. 419 with amendments. Without objection, House Bill No. 419 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Reynolds, and Thomas voted yea.

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

House Bill No. 532 by Representative Mack

Representative Mack presented House Bill No. 532, which provides relative to the regulation of fireworks and pyrotechnics.

Representative Carmody offered technical amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Reynolds, and Thomas voted yea.

Mr. Butch Browning, Louisiana State Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806, (225) 806-0803, spoke for information only on House Bill No. 532.

Representative Pugh offered a motion to report House Bill No. 532 with amendments. Without objection, House Bill No. 532 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Carmody, Chad Brown, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, Pugh, Reynolds, and Thomas voted yea.

Witness cards are included in the committee records.

IV. OTHER BUSINESS

It was determined that it was not necessary to conduct the oversight hearing on the Louisiana State Board of Cosmetology rules to amend LAC 46:XXXI as listed on the agenda.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:55 p.m.

Respectfully submitted,

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