

House Committee on Commerce

Minutes of Meeting
2020 Regular Session
May 18, 2020

I. CALL TO ORDER

Representative Paula P. Davis, chairwoman of the House Committee on Commerce, called the meeting to order at 9:09 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairwoman
Representative Stephanie Hilferty, vice chairwoman
Representative Kenny R. Cox
Representative Royce Duplessis
Representative Bryan Fontenot
Representative Jonathan Goudeau, I
Representative Kyle M. Green, Jr.
Representative Charles Alexander Henry
Representative Edmond Jordan
Representative Danny McCormick
Representative Markham Scott McKnight
Representative Candace N. Newell
Representative Vincent "Vinney" J. St. Blanc, III
Representative Phillip Eric Tarver
Representative Polly Thomas
Representative Debbie Villio

MEMBERS ABSENT:

Representative Paul Hollis

STAFF MEMBERS PRESENT:

Kimona Hogan, attorney
Halie Guidry, legislative analyst
Allie King, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Concurrent Resolution No. 69 by Representative Wright**

Representative Wright presented House Concurrent Resolution No. 69, which creates a task force to study how to best capitalize on Louisiana's international trade potential.

Representative Davis offered amendments to House Concurrent Resolution 69 which add six groups to the list of organizations and agencies from which the committee is to solicit input, information, data, recommendations, and advice when conducting the study. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Davis, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Representative Thomas offered a motion to report House Concurrent Resolution No. 69 with amendments. Without objection, House Concurrent Resolution No. 69 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Davis, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio 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.

Senate Bill No. 120 by Senator Smith

On behalf of Senator Smith, Representative Huval presented Senate Bill No. 120, which requires that three members of the Louisiana State Racing Commission be affiliated with the horse racing industry.

Representative Thomas offered a motion to report Senate Bill No. 120 favorably. Without objection, Senate Bill No. 120 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio 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.

Senate Bill No. 54 by Senator Foil

Senator Foil presented Senate Bill No. 54, which provides relative to articles of incorporation and qualifications of registered agents of certain corporations.

Representative Davis offered technical amendments to Senate Bill No. 54. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Representative McKnight offered a motion to report Senate Bill No. 54 with amendments. Without objection, Senate Bill No. 54 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

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

Senate Bill No. 55 by Senator Foil

Senator Foil presented Senate Bill No. 55, which removes a requirement for telephone numbers in an application for registration of certain contract providers filed with the secretary of state.

Representative Davis offered a motion to report Senate Bill No. 55 favorably. Without objection, Senate Bill No. 55 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

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

Senate Concurrent Resolution No. 47 by Senator Peacock

Senator Peacock presented Senate Concurrent Resolution No. 47, which encourages further economic ties and friendship between Louisiana and the Republic of China (Taiwan).

Representative Cox offered a motion to report Senate Concurrent Resolution No. 47 favorably. Without objection, Senate Concurrent Resolution No. 47 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Senate Bill No. 470 by Senator Morris

Senator Morris presented Senate Bill No. 470, which provides relative to warranty agreements and claims involving the transfer of recreational vehicles.

Mr. Brian Bent, Bent's RV and LA RV Association, 6524 Louisville St., New Orleans, LA 70124, (504) 957-1542, spoke in support of Senate Bill No. 470.

Representative Tarver offered a motion to report Senate Bill No. 470 favorably. Without objection, Senate Bill No. 470 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio 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.

Senate Bill No. 273 by Senator Hewitt

Senator Hewitt presented Senate Bill No. 273, which provides for registration with the secretary of state by managed service providers servicing public bodies.

Representative Davis offered amendments to Senate Bill No. 273 which would: (1) change from the Louisiana Cybersecurity Commission to the Louisiana Fusion Center the agency that should receive notification of cyber incidents; (2) create an additional exception to the Public Records Law to exempt information that constitutes critical infrastructure information as defined in federal law regardless of whether the information has been shared with any federal governmental agency; (3) change the definition of "cyber incident"; (4) exclude from the definition of "managed service provider" any entity providing communications services subject to regulation or oversight by the La. Public Service Commission or the Federal Communications Commission; (5) clarify the definition of "managed security service provider"; (6) add the definition of "managed security service"; (7) clarify that a provider shall not provide managed security service to a public body unless that provider is registered with the secretary of state; (8) require that notification be given to the La. Fusion Center, within 24 hours, of actual knowledge of a cyber incident impacting a public body; (9) require that it be reported to the La. Fusion Center, within 10 calendar days, if a provider or public body makes payment of cyber ransom or ransomware; and (10) clarify that a public body is prohibited from entering into a contract for managed security services with a provider that is not registered with the secretary of state.

Mr. Devin King, Louisiana State Police, no address provided, no phone number provided, spoke for information only on Senate Bill No. 273.

Mr. Kyle Ardoin, Louisiana Secretary of State, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, spoke for information only on Senate Bill No. 273.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Fontenot, Goudeau, Green, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Representative Hilferty offered a motion to report Senate Bill No. 273 with amendments. Without objection, Senate Bill No. 273 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Davis, Hilferty, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, St. Blanc, Tarver, Thomas, and Villio voted yea.

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

Senate Bill No. 268 by Senator Johns

Senator Johns presented Senate Bill No. 268, which provides relative to abandonment of safety deposit boxes.

Representative Davis offered amendments to Senate Bill No. 268 which would: (1) remove provisions of proposed law which required financial institutions to allow the lessee of a safety deposit box to provide information for authorized contacts and notify those contacts if the safety deposit box is deemed abandoned; (2) clarify that a bank is not required to treat proceeds from the sale of abandoned items as presumed abandoned and, accordingly, turn the proceeds over to the administrator of the Uniform Unclaimed Property Act; (3) add language to acknowledge that provisions in safety deposit box contracts remain enforceable in proposed law; (4) reduce the required minimum bid, which must be met for an item to be sold, from 75% of the valuation price to 66% of the valuation price for contents from a safety deposit box with an independent valuation of more than \$1,000; (5) add provisions which allow the contents of a safety deposit box with an independent valuation of more than \$1,000 to be sold without a value restriction at a subsequent sale, if no offer meeting the minimum valuation requirement is received at the initial sale; (6) specify that a party providing an independent valuation eligible to purchase the contents valued at a public or private sale; and (7) make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Davis, Hilferty, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, St. Blanc, Tarver, Thomas, and Villio voted yea.

Representative Jordan offered a motion to report Senate Bill No. 268 with amendments. Without objection, Senate Bill No. 268 was reported with amendments by a vote of 13 yeas and 0 nays.

Representatives Davis, Hilferty, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio 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.

Senate Bill No. 345 by Senator Johns

Senator Johns presented Senate Bill No. 345, which provides relative to noncompete agreements.

Representative Davis offered technical amendments to Senate Bill No. 345. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Davis, Hilferty, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Mr. Jude Bursavich, Breazeale Sachse and Wilson LLP, P.O. Box 3197, Baton Rouge, LA 70821, (225) 387-4000, spoke in support of Senate Bill No. 345.

Representative Hilferty offered a motion to report Senate Bill No. 345 with amendments. Without objection, Senate Bill No. 345 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Davis, Hilferty, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio 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.

Senate Bill No. 492 by Senator Cathey

Senator Cathey presented Senate Bill No. 492, which preempts local regulation of the use of natural gas utility service.

Mr. Randy Haynie, no card provided, spoke in support of Senate Bill No. 492.

Ms. Karen White, LA Municipal Association, 700 N. 10th St., Baton Rouge, LA 70802, (225) 344-5001, spoke for information only on Senate Bill No. 492.

Mr. Tyler Gray, Louisiana Mid-Continent Oil and Gas Association, no address provided, Baton Rouge, LA 70802, no phone number provided, spoke in support of Senate Bill No. 492.

Representative Davis offered a motion to report Senate Bill No. 492 favorably. Without objection, Senate Bill No. 492 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Davis,

Hilferty, Cox, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 13 in support. Witness cards are included in the committee records.

Senate Bill No. 406 by Senator Mizell

Senator Mizell presented Senate Bill No. 406, which provides for rural access to broadband high-speed internet service.

Mr. Brandon Frey, Louisiana Public Service Commission, P.O. Box 91154, Baton Rouge, LA 70821, (225) 342-5163, spoke for information only on Senate Bill No. 406.

Ms. Melissa Mann, CenturyLink, 301 Main St., Suite 1200, Baton Rouge, LA 70802, (225) 333-6843, spoke in support of Senate Bill No. 406.

Representative Daryl Deshotel, House District No. 28, 3300 Main St., Hessmer, LA 71341, no phone number provided, spoke in support of Senate Bill No. 406.

Mr. Jeff Arnold, Association of Louisiana Electric Co-Ops, 10725 Airline Hwy., Baton Rouge, LA 70816, (225) 293-3450, spoke in opposition to Senate Bill No. 406.

Mr. Carmack Blackman, Louisiana Railroads, P.O. Box 44035, Baton Rouge, LA 70804, (225) 388-9871, spoke for information only on Senate Bill No. 406.

Representative Goudeau offered a motion to report Senate Bill No. 406 favorably. Without objection, Senate Bill No. 406 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Davis, Hilferty, Duplessis, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 18 in support and 1 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Polly Thomas offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Davis, Hilferty, Cox, Duplessis, Fontenot, Goudeau, Henry, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

The meeting was adjourned at 12:19 p.m.

Respectfully submitted,

Chairwoman Paula P. Davis
House Committee on Commerce

Date adopted: