

House Committee on Commerce

Minutes of Meeting
2021 Regular Session
April 26, 2021

I. CALL TO ORDER

Representative Paula P. Davis, chairwoman of the House Committee on Commerce, called the meeting to order at 9:10 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairwoman
Representative Royce Duplessis
Representative Bryan Fontenot
Representative Brett F. Geymann
Representative Jonathan Goudeau, I
Representative Kyle M. Green, Jr.
Representative Stephanie Hilferty, vice chairwoman
Representative Paul Hollis
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 Kenny R. Cox

STAFF MEMBERS PRESENT:

Halie Guidry, legislative analyst
Charlotte Cravins, attorney
Allie King, committee administrative assistant
Nevonda S. Reed, director
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 648 by Representative Deshotel**

Representative Deshotel presented House Bill No. 648, which establishes a grant program to be administered by the office of broadband development and connectivity in the division of administration.

check the exhibit on telecommunications and kilobits

Mr. Veneeth Iyeugor, Office of Broadband, Division of Administration, 1201 N. St., Baton Rouge, LA 70802, (202) 421-1297, spoke for information only on House Bill No. 648.

Representative Davis offered amendments to:

- (1) Add language allowing for consultation between the office and the Legislative auditor.
- (2) Requires the auditor to review the plan in lieu of approval.
- (3) Changes "eligible" to "ineligible" to conform with the remainder of the bill.

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, Duplessis, Fontenot, Geymann, Goudeau, Hollis, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Representative Davis offered amendments to:

- (1) Revise the definition of "household".
- (2) Specify that for the purposes of the definition of "infrastructure" an entity refers to an internet service provider.
- (3) Remove the definition and other references to "partnership".
- (4) Add definitions for "shapefile" and "economically distressed parishes".

- (5) Remove provision relative to the GUMBO fund.
- (6) Add language to require submission of shapefile areas in addition to census blocks and addresses.
- (7) Provide that for purposes of the application, the cost and construction time line disclosures are to be the estimated cost and construction time line.
- (8) Remove a requirement that the applicant provide justification that the proposed data caps are in the public interest and consistent with industry standards.
- (9) Remove the requirement that the submitted plan incorporate community education forums.
- (10) Remove the condition that certain information be considered satisfactory.
- (11) Place confidentiality requirements on the office.
- (12) Change the period the application shall be public from thirty days to sixty days.
- (13) Change the speed tests conditions.
- (14) Provide a procedure for judicial review.
- (15) Make changes to the scoring systems.
- (16) Require fund matching from municipalities.
- (17) Add requirements of disclosure and compliance with projected connection speed and cost.
- (18) Add an exemption for forfeiture of funds for certain occurrences.
- (19) Add a requirement that the report indicate both residential and commercial locations that have gained broadband access from the GUMBO program.
- (20) Prohibit the office from making certain considerations in awarding grants.
- (21) Prohibit any municipality from being an internet service provider or participating in profit sharing.
- (22) Move provisions relative to reimbursement for grantees.

- (23) Add provisions relative to minority-owned business.
- (24) Change the requirements of the legislative auditor's involvement with the GUMBO program.
- (25) Make technical changes.

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, Duplessis, Fontenot, Geymann, Goudeau, Hollis, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Representative Goudeau offered amendments, which:

- (1) Adds language to define an established provider.
- (2) Adds an exemptions that any broadband project which is financed in whole or part through the GUMBO program or by any funds administered or disbursed by or through the office shall not be a "covered service" under the Local Government Fair Competition Act, La. R.S. 45:844.41 et seq.
- (3) Adds prohibitions that a local government that finances a broadband project in whole or part through the GUMBO program or by any funds administered or disbursed by or through the office may not make or grant any undue or unreasonable preference to itself or any private provider of broadband services, and shall apply without discrimination as to itself and to any private provider the local government's ordinances, rules, and policies, including those relating to obligation to serve, access to public rights of way, permitting, performance bonding, reporting, and quality of service.
- (4) Make technical changes.

Mr. Michael Hebert, Acadiana Planning Commission, 201 Rue Beauregard, Lafayette, LA 70508, (337) 233-1907, spoke in support of House Bill No. 648.

Mr. Chester Cedars, St. Martin Parish Government, P.O. Box 9, St. Martinville, LA 70582, (337) 394-2200, spoke in support of House Bill No. 648.

Representative Goudeau offered a motion to adopt the proposed amendments, to which Representative Jordan objected. Representative Goudeau withdrew the amendments. No vote was taken.

Senator Gerald Long, Louisiana House of Representatives, 9671 Hwy. 84, Winnfield, LA 71482, (318) 663-1835, spoke for information only on House Bill No. 648.

Representative Jordan offered a motion to report House Bill No. 648 with amendments. Without objection, House Bill No. 648 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Geymann, Goudeau, Hollis, Jordan, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 21 in support and 1 for information only.

House Bill No. 323 by Representative Gadberry

Representative Gadberry presented House Bill No. 323, which provides relative to the selection of architectural and engineering services.

Representative Thomas offered a motion to report House Bill No. 323 favorably. Without objection, House Bill No. 323 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Geymann, Goudeau, Green, Hollis, Jordan, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 4 in support.

House Bill No. 374 by Representative Duplessis

Representative Duplessis presented House Bill No. 374, which provides relative to residential lessee screening.

Representative Duplessis offered amendments to:

1. Make technical changes.
2. Remove a provision of proposed law requiring a lessor to adopt written screening or admission criteria.
3. Remove a provision requiring a lessor to give written notice of the lessor's screening or admission criteria, used in deciding whether to rent or lease to the applicant.
4. Add a provision requiring a lessor to give written notice as to whether the lessor's screening or admission criteria considers credit, employment history, or eviction records in rental decisions.

5. Require a lessor to give written notice of the screening process followed including whether the lessor may rely upon a credit reporting agency.
6. Require a lessor to give written notice of the screening process followed including whether the lessor may contact employers or prior lessors.
7. Add a provision prohibiting a cause of action against a lessor or a lessor's agents or employees for violating proposed law and granting immunity to a lessor or a lessor's agents or employees from any cause of action for alleged violation of proposed law.
8. Clarify that the word "resident" in proposed law refers to a "consumer".
9. Clarify that proposed law does not conflict with a credit reporting agency's duties under the Fair Credit Reporting Act.
10. Remove a requirement that the name and date of birth of an applicant in a court file must match the name and date of birth of the applicant in a credit report where the credit report includes information from the court file.
11. Clarify that regulations in proposed law requiring eviction proceeding outcomes to be accurately reflected in a credit report relates to residential evictions

Representative Duplessis 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, Duplessis, Geymann, Green, Hollis, Jordan, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Mr. Maxwell Ciardullo, Louisiana Fair Housing Action Center, 1340 Poydras, Suite 720, New Orleans, LA 70112, no phone number provided, mciardullo@lafairhousing.org, spoke in support of House Bill No. 374.

Ms. Jasmine Fournier, 2020 St. Claude Ave., New Orleans, LA 70116, (314) 623-4065, spoke in support of House Bill No. 374.

Mr. Curtis Doucet, Iris Development, 1718 St. Ann St., New Orleans, LA 70116, (504) 621-9377, spoke in support of House Bill No. 374.

Ms. Arielle Butler, 7585 Main St., Zachary, LA 70791, (225) 505-0241, spoke in support of House Bill No. 374.

Ms. Susan East Nelson, Louisiana Partnership for Children & Families, 13609 Landmark Dr., Baton Rouge, LA 70810, (225) 229-2498, spoke in support of House Bill No. 374.

Dr. Neha Sharma, American Academy of Pediatrics, 1176 Magazine St., Apt D, New Orleans, LA 70130, (803) 84-3772, spoke in support of House Bill No. 374.

Representative Hilferty in the chair.

Ms. Leigh Rachal, Acadiana Regional Coalition on Homelessness and Housing, 208 Birch Dr., Lafayette, LA 70502, (337) 967-0995, spoke in support of House Bill No. 374.

Mr. Kenny Francis, Agenda for Children, 8300 Earhart Blvd., New Orleans, LA 70118, (504) 233-8426, spoke in support of House Bill No. 374.

Mr. Derrell Cohoon, Capitol Partners, 714 N. 5th St., Baton Rouge, LA 70802, (225) 921-9233, spoke in opposition to House Bill No. 374.

Mr. Jim Rather, Apartment Association of Louisiana, no address provided, Metairie, LA 70006, (504) 481-4118, spoke in opposition to House Bill No. 374.

Representative Davis in the chair.

Mr. Justin Kozak, Center for Planning Excellence, 100 Lafayette St., Baton Rouge, LA 70801, (630) 805-1575, spoke for information only on House Bill No. 374.

Mr. Logan Morris, P.O. Box 131, Leesville, LA 71446, spoke for information only on House Bill No. 374.

Representative Newell offered a motion to report House Bill No. 374 with amendments. Without objection, House Bill No. 374 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Davis, Duplessis, Geymann, Goudeau, Green, Hilferty, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 6 in opposition, and 1 for information only.

Statements submitted in lieu of appearing before the committee are as follows: 53 in support and 1 in opposition.

House Bill No. 561 by Representative Bagley

Representative Davis announced that action on House Bill No. 561, which prohibits certain post employment restraints on the practice of medicine on physicians employed by the state, was voluntarily deferred.

House Bill No. 483 by Representative Wright

Representative Davis announced that action on House Bill No. 483, which provides relative to non-competition agreements for physicians, was voluntarily deferred.

House Bill No. 499 by Representative Tarver

Representative Tarver presented House Bill No. 499, which provides relative to the deposit of insurance proceeds resulting from natural disasters.

Mr. Joe Gendron, Louisiana Bankers Association, 5555 Bankers Avenue, Baton Rouge, LA 70808, (225) 214-4837, spoke in opposition to House Bill No. 499.

Representative Hilferty in the chair.

Mr. David Boneno, Louisiana Bankers Association, 5555 Bankers Avenue, Baton Rouge, LA 70808, (225) 214-4836, spoke in opposition to House Bill No. 499.

Amendments were read into the record to:

- (1) Make technical changes.
- (2) Change timely manner to within three days by traceable delivery.
- (3) Insert the following language at the end of line 7 on page 2:

"(2) This Subsection shall not apply to claimants or property in default, behind in payment, or with damages exceeding fifty percent of the appraised value of the property."

The amendments were not offered nor were they adopted.

Representative Hilferty offered a motion to voluntarily defer action on House Bill No. 499. Without objection, action on House Bill No. 499 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Fontenot, Geymann, Goudeau, Hilferty, Hollis, Jordan, McCormick, Newell, St. Blanc, Tarver, Thomas, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in opposition and 2 for information only.

House Bill No. 476 by Representative Schamerhorn

This is a continuation of the discussion on House Bill No. 476 by the committee on April 20, 2021. Please check for the prior action to complete the record of discussion and motions on House Bill No. 476.

Representative Schamerhorn presented House Bill No. 476, which provides relative to broadband.

Representative Villio offered a motion to voluntarily defer action on House Bill No. 476. Without objection, action on House Bill No. 476 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Fontenot, Goudeau, Hilferty, Hollis, Jordan, McCormick, McKnight, St. Blanc, Tarver, Thomas, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Thomas offered a motion to adjourn. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Fontenot, Goudeau, Hilferty, Hollis, Jordan, McCormick, McKnight, St. Blanc, Tarver, Thomas, and Villio voted yea.

The meeting was adjourned at 1:11 p.m.

Respectfully submitted,

Chairwoman Paula P. Davis
House Committee on Commerce

Date adopted: