

House Committee on Commerce

Minutes of Meeting
2021 Regular Session
May 3, 2021

I. CALL TO ORDER

Representative Paula P. Davis, chairwoman of the House Committee on Commerce, called the meeting to order at 9:22 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairwoman
Representative Kenny R. Cox
Representative Royce Duplessis
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

MEMBERS ABSENT:

Representative Bryan Fontenot
Representative Debbie Villio

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

Mia Ditta, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 561 by Representative Bagley

Representative Bagley presented House Bill No. 561, which prohibits certain post employment restraints on the practice of medicine on physicians employed by the state.

Representative Jordan offered amendments in concept to:

- (1) Add a provision stating that no contractual provision restricting the practice of medicine upon a physician who is terminated without cause shall be enforceable.
- (2) Make technical changes.

Representative Jordan 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, Cox, Duplessis, Geymann, Goudeau, Hollis, Jordan, McCormick, Newell, St. Blanc, Tarver, and Thomas voted yea.

Dr. Loren Scott, Ochsner Health, 443 Woodview Ct., Baton Rouge, LA 70810, (225) 937-4203, spoke for information only on House Bill No. 561 and presented a handout, Exhibit A.

Dr. Charles Fox, LSU Health Shreveport, 1501 Kings Hwy., Shreveport, LA 71103, (318) 675-5240, spoke for information only on House Bill No. 561.

Mr. Charles Daigle, Ochsner Health, no address provided, spoke in opposition to House Bill No. 561.

Representative Newell offered a motion to report House Bill No. 561 with amendments, to which Representative Cox objected. The administrative assistant called the roll, and House Bill No. 561 was reported with amendments by a vote of 13 yeas and 2 nays. Representatives Davis, Duplessis, Geymann, Goudeau, Green, Hilferty, Hollis, Jordan, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea. Representatives Cox and McCormick voted nay.

Witness cards submitted by individuals who did not speak are as follows: 14 in support and 2 in opposition. Witness cards are included in the committee records.

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

House Bill No. 602 by Representative Amedee'

Representative Amedee presented House Bill No. 602, which provides relative to social media websites.

Ms. Samantha Fillmore, The Heartland Institute, 3636 N. Wilke Rd., Arlington Heights, IL 60004. (314) 377-4000, spoke for information only on House Bill No. 602.

Mr. Chris Sevier, de facto attorney general, 9 Music Square South, Nashville, TN 37203, (615) 500-4411, spoke in support of House Bill No. 602.

Representative Jordan offered a motion to involuntarily defer action on House Bill No. 602, which was laid on the table until the appropriate time.

Mr. Michael Lunsford, Citizens for a New Louisiana, 100 E. Vermillion St., Suite 100, Lafayette, LA 70501, (337) 873-1221, spoke in support of House Bill No. 602.

Ms. Jill Hines, Health Freedom Louisiana, 1307 Mesa Ave., Ruston, LA 71270, (904) 318-6018, spoke in support of House Bill No. 602 and presented a statement she read from the witness table, Exhibit B.

Mr. Eric Peterson, Pelican Institute, 342 Lafayette St., Baton Rouge, LA 70801, no phone number provided, spoke in opposition to House Bill No. 602.

Mr. James Hines, Internet Association, 660 N. St., Washington, DC 20001, (512) 673-2089, spoke in opposition to House Bill No. 602.

Mr. Christopher Marchese, Netchoice, 1401 K St., Suite 502, Washington, DC 20005, (631) 707-2315, spoke in opposition to House Bill No. 602.

The committee took up Representative Jordan's motion to involuntarily defer House Bill No. 602, to which Representative Tarver objected. The administrative assistant called the roll, and action on House Bill No. 602 was involuntarily deferred by a vote of 9 yeas and 4 nays. Representatives Davis, Cox, Duplessis, Green, Jordan, McKnight, Newell, St. Blanc, and Thomas voted yea. Representatives Geymann, Goudeau, Hollis, and Tarver voted nay.

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

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

House Concurrent Resolution No. 40 by Representative Schexnayder

Representative Thomas in the chair.

On behalf of Representative Schexnayder, Chairwoman Davis presented House Concurrent Resolution No. 40, which directs the Department of Economic Development to suspend certain tax incentives, subsidies, and other public financial support for certain utility scale solar projects.

Representative Davis offered technical amendments to House Concurrent Resolution No. 40. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Davis, Cox, Duplessis, Goudeau, Green, Hollis, Jordan, McKnight, St. Blanc, Tarver, and Thomas voted yea.

Mr. Joe Mapes, Louisiana Farm Bureau, 731 Lakeland Dr., Baton Rouge, LA 70802, (225) 268-8572, spoke in support of House Concurrent Resolution No. 40.

Representative Davis offered amendments to House Concurrent Resolution No. 40 to:

- (1) Add a provision to include the State Board of Commerce and Industry as an entity being directed to suspend the Louisiana Industrial Ad Valorem Tax Exemption Program and other tax incentives, subsidies, and other public financial support relative to certain utility scale solar projects.
- (2) Add a provision to transmit a copy of the resolution to the secretary of the Louisiana Department of Economic Development.
- (3) Add a provision to transmit a copy of the resolution to the chairwoman of the State Board of Commerce and Industry.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Cox, Duplessis, Goudeau, Hollis, Jordan, McKnight, St. Blanc, Tarver, and Thomas voted yea.

Ms. Mandi Mitchell, Louisiana Economic Development, 617 N. 3rd St., Baton Rouge, LA 70802, (225) 342-3000, spoke for information only on House Concurrent Resolution No. 40.

Mr. Stephen Wright, Gulf States Renewable Energy, 695 Kiskatom Lane, Mandeville, LA 70471, (318) 663-3810, spoke in opposition to House Concurrent Resolution No. 40.

Representative McKnight offered a motion to report House Concurrent Resolution No. 40 with amendments. Without objection, House Concurrent Resolution No. 40 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Cox, Duplessis, Goudeau, Hollis, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 483 by Representative Wright

Representative Wright presented House Bill No. 483, which provides relative to non-competition agreements for physicians.

Representative Thomas offered technical amendments to House Bill No. 483. Representative Thomas offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Cox, Duplessis, Goudeau, Hilferty, Hollis, Jordan, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Mr. Jeff Williams, Louisiana State Medical Society, 6767 Perkins Rd., Baton Rouge, LA 70808, (225) 229-8282, spoke in support of House Bill No. 483.

Representative Davis in the chair.

Dr. Katherine Williams, Louisiana State Medical Society, 6767 Perkins Rd., Suite 100, Baton Rouge, LA 70808, (504) 628-3757, spoke in support of House Bill No. 483.

Dr. Ralph Corsetti, 10013 Sauve Oak Ln., River Ridge, LA 70123, (504) 352-8013, spoke in support of House Bill No. 483.

Representative Davis offered amendments to House Bill No. 483, which:

- (1) Removes the condition that a primary care physician covered under the act be employed by the state.
- (2) Add a condition that primary care physician specialists not be employed by the state.
- (3) Provides the definition of primary care physician specialist.
- (4) Make technical changes.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Cox, Geymann, Goudeau, Hollis, McCormick, McKnight, Newell, Tarver, and Thomas voted yea.

Representative Davis offered amendments to House Bill No. 483 to:

- (1) Extend the scope of proposed law as it relates to primary care physicians to include primary care physicians, regardless of employer, and any physician employed by the state.
- (2) Limit the scope of proposed law in relation to physician specialists to apply only to physician specialties who are not employed by the state.
- (3) Change the definition of "restricted geographic region" to apply to physician specialists.
- (4) Add an exception for rural hospitals.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Cox, Geymann, Goudeau, Hollis, McCormick, McKnight, Newell, Tarver, and Thomas voted yea.

Dr. Robert Hart, Ochsner, 1514 Jefferson Hwy., Jefferson, LA 70121, no phone number provided, spoke in opposition to House Bill No. 483.

Dr. Steve Spedale, Infamedics, 500 Rue de la Vie, Suite 405, Baton Rouge, LA 70817, (225) 928-2555, spoke in opposition to House Bill No. 483.

Mr. David Konur, Cardiovascular Institute of the South, 225 Dunn St., Houma, LA 70360, (985) 873-5617, spoke in opposition to House Bill No. 483.

Dr. David Houghton, Ochsner Health, 1514 Jefferson Hwy., New Orleans, LA 70121, (504) 842-3980, spoke in opposition to House Bill No. 483.

Representative Jeremy Lacombe, District 18, P.O. Box 370, Livonia, LA 70755, (225) 637-3803, spoke in support of House Bill No. 483.

Representative Tarver offered a motion to report House Bill No. 483 with amendments, to which Representative Cox objected. The administrative assistant called the roll, and House Bill No. 483 was reported with amendments by a vote of 13 yeas and 1 nays. Representatives Davis, Duplessis, Geymann, Goudeau, Green, Hilferty, Hollis, McCormick, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea. Representative Cox voted nay.

Witness cards submitted by individuals who did not speak are as follows: 32 in support, 5 in opposition, and 1 for information only. Witness cards are included in the committee records.

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

House Bill No. 650 by Representative Pressly

Representative Pressly presented House Bill No. 650, which provides relative to river port and steamship pilots.

Mr. Tyler Gray, Louisiana Mid-Continent Oil & Gas Association (LMOGA), 730 N. Blvd., Baton Rouge, LA 70802, (225) 387-3205, spoke in support of House Bill No. 650,

Mr. Greg Bowser, Louisiana Chemical Association, 301 Main St., Suite 2040, Baton Rouge, LA 70802, no phone number provided, no email address provided, spoke in support of House Bill No. 650.

Representative Hilferty in the chair.

Representative Jordan offered amendments to House Bill No. 650 to:

- (1) Remove a provision that requires one member of the Board of River Port Pilot Commissioners for the Port of Orleans to be chosen from a list of 4 nominees submitted by the New Orleans Steamship Association, the Louisiana Association of Business and Industry, the Louisiana Chemical Association, the Louisiana Mid-Continent Oil and Gas Association, and the International Freight Forwarders and Custom brokers Association of New Orleans, Inc., and prohibits the nominee from serving on the Board of Louisiana River Pilot Review and Oversight or the Louisiana Pilotage Fee Commission.
- (2) Add a provision that requires one member of the Board of River Port Pilot Commissioners for the Port of Orleans to be the commander of the U.S. Coast Guard Atlantic Area, 8th district or his designee. Removes language to require the governor to appoint a member from a list of four nominees submitted by the New Orleans Steamship Association, and replaces it with the requirement that one of the members be the commander of the United States Coast Guard Atlantic Area, Eighth District, or his designee.

Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Cox, Goudeau, Hilferty, Jordan, McCormick, McKnight, St. Blanc, Tarver, and Thomas voted yea.

Ms. Lori LeBlanc, Gulf Economic Survival Team, 730 N. Blvd., Baton Rouge, LA 70802, (985) 209-7932, spoke in support of House Bill No. 650.

Mr. Steve Hathorn, New Orleans-Baton Rouge Steamship Pilots Association (NOBRA), 4221 Beaujolais Dr., Kenner, LA 70065, (504) 915-0195, spoke in opposition to House Bill No. 650.

Mr. George Burkley, Maritime Pilots Institute, 401 N. New Hampshire St., Covington, LA 70433, (985) 867-9789, spoke in opposition to House Bill No. 650.

Mr. E. Michael Bopp, Crescent River Pilots, 2640 Ridgelake Ave., Metairie, LA 70002, (504) 812-2059, spoke in opposition to House Bill No. 650.

Representative Davis in the chair.

Mr. Jack Anderson, Board of River Port Pilot Commissioners, 2728 Athania Pkwy., Metairie, LA 70002, (504) 218-7477, spoke for information only on House Bill No. 650,

Representative Davis offered amendments to House Bill No. 650 to:

- (1) Add a provision that changes the per diem amount for the Board of Louisiana River Pilot Review and Oversight from an amount not to exceed \$150 to the same per diem established by the Louisiana Supreme Court from time to time for ad hoc judges.
- (2) Add a provision that makes decisions of the board final if voted on by a majority of the board members present.
- (3) Make changes to the regulation regarding the emergency.
- (4) 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, Cox, Duplessis, Geymann, Goudeau, Green, Hilferty, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Mr. Richard Miller, Board of River Port Pilot Commissioners, P.O. Box 298368, Pembroke Pines, FL 33029, (786) 202-1531, spoke for information only on House Bill 650.

Ms. Casey Clayton, Board of Examiners for NOBRA, 2805 Harvard Ave., Metairie, LA 70006, (504) 920-5353, spoke for information only on House Bill No. 650.

Mr. Lee Jackson, Board of Examiners for NOBRA, 21 Arbor Cir., New Orleans, LA 70131, (504) 251-8308, spoke for information only on House Bill No. 650.

Representative Davis offered a motion to report House Bill No. 650 with amendments. Without objection, House Bill No. 650 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Davis, Cox, Duplessis, Geymann, Goudeau, Green, Hilferty, Hollis, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 6 in opposition.

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 15 yeas and 0 nays. Representatives Davis, Cox, Duplessis, Geymann, Goudeau, Green, Hilferty, Hollis, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

The meeting was adjourned at 2:05 p.m.

Respectfully submitted,

Chairwoman Paula P. Davis
House Committee on Commerce

Date adopted: