

House Committee on Commerce

Minutes of Meeting
2022 Regular Session
April 18, 2022

I. CALL TO ORDER

Representative Paula P. Davis, chairman of the House Committee on Commerce, called the meeting to order at 9:16 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairman
Representative Royce Duplessis
Representative Bryan Fontenot
Representative Jonathan Goudeau, I
Representative Kyle M. Green, Jr.
Representative Stephanie Hilferty, vice chairman
Representative Paul Hollis
Representative Edmond Jordan
Representative Candace N. Newell
Representative Thomas A. Pressly
Representative Vincent "Vinney" J. St. Blanc, III
Representative Phillip Eric Tarver
Representative Polly Thomas

MEMBERS ABSENT:

Representative Kenny R. Cox
Representative Adrian Fisher
Representative Scott McKnight

STAFF MEMBERS PRESENT:

Charlotte Cravins, attorney
Halie Guidry, attorney
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Nevonda Reed-Dobard, division director
Veronica Grant, committee clerk
Myrtis Jarrell, sergeant at arms
Danny Leming, assistant sergeant at arms
Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 956 by Representative Schexnayder**

Oh behalf of Representative Schexnayder, Edwin J. Fenasci, Louisiana Horsemen's Benevolent & Protective Association (LHBPA), 1535 Gentilly Blvd., New Orleans, LA 70119, (504) 812-8771, presented House Bill No. 956, which provides relative to pari-mutuel racehorse wagering.

John Duvielh, LHBPA, 340 Chinawood Dr., Abita Springs, LA 70420, (504) 416-0656, spoke in support of House Bill No. 956.

Representative Davis offered a motion to report House Bill No. 956 favorably. Without objection, House Bill No. 956 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, 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. 957 by Representative Schexnayder

Oh behalf of Representative Schexnayder, Edwin J. Fenasci, LHBPA, 1535 Gentilly Blvd., New Orleans, LA 70119, (504) 812-8771, presented House Bill No. 957, which provides relative to fixed-odds racehorse wagering.

Representative Thomas offered a motion to report House Bill No. 957 favorably. Without objection, House Bill No. 957 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, 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. 565 by Representative Bacala

Representative Davis announced that House Bill No. 565, which provides relative to duties of the fire marshal, was voluntarily deferred.

House Bill No. 1053 by Representative Emerson

Representative Davis announced that House Bill No. 1053, which provides relative to the licensure of brokers, was voluntarily deferred.

House Bill No. 1055 by Representative Hughes

Representative Hughes presented House Bill No. 1055, which provides relative to horse racing.

Representative Davis offered amendments to make technical changes. 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, Duplessis, Fontenot, Goudeau, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Duplessis offered a motion to report House Bill No. 1055 with amendments. Without objection, House Bill No. 1055 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

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

House Bill No. 652 by Representative Hilferty

Representative Hilferty presented House Bill No. 652, which provides relative to the Sewerage and Water Board of New Orleans.

Representative Hilferty offered amendments to:

- (1) Require the board to bear costs associated with water and sewage connections on a lot of record which existed prior to 1954.
- (2) Provide that proposed law does not limit the powers of the legislative auditor.
- (3) Provide for the powers of the city council.

- (4) Require the board to implement certain provisions of proposed law within 90 days of enactment of proposed law.
- (5) Make technical changes.

Jean-Paul Morrell, New Orleans City Council, 1300 Perdido St., New Orleans, LA 70102, spoke in support of House Bill No. 652, and provided a handout, Exhibit A, which is included in committee records.

Representative Hilferty offered a motion to adopt the proposed amendments, to which Representative Newell objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 8 yeas and 4 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, Pressly, St. Blanc, Tarver, and Thomas voted yea. Representatives Duplessis, Green, Jordan, and Newell voted nay.

Paul Rainwater, City of New Orleans, 5117 Cheneau Ln., Baton Rouge, LA 70808, (225) 261-8176, spoke in opposition to House Bill No. 652.

Representative Hilferty offered a motion to report House Bill No. 652 with amendments. Representative Duplessis offered a substitute motion to report House Bill No. 652 with amendments with recommendation that it be recommitted to the Committee on Local and Municipal, to which Representative Hilferty objected. The administrative assistant called the roll, and the substitute motion failed to pass by a vote of 4 yeas and 9 nays. Representatives Duplessis, Green, Jordan, and Newell voted yea. Representatives Davis, Fontenot, Goudeau, Hilferty, Hollis, Pressly, St. Blanc, Tarver, and Thomas voted nay.

The original motion to report House Bill No. 652 with amendments was considered, to which Representative Newell objected. The administrative assistant called the roll, and House Bill No. 652 was reported with amendments by a vote of 10 yeas and 3 nays. Representatives Davis, Fontenot, Goudeau, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea. Representatives Duplessis, Green, and Newell voted nay.

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. 807 by Representative Magee

Representative Magee presented House Bill No. 807, which provides relative to energy storage.

Representative Davis offered amendments to make technical changes. 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, Duplessis, Fontenot, Green, Hilferty, Hollis, Jordan, Newell, Pressly, Tarver, and Thomas voted yea.

Representative Davis offered amendments which:

- (1) Remove references to "grid stability".
- (2) Remove references to "community solar system".
- (3) Add an additional category, relative to commercial property, to the list of possible grant program calculations.
- (4) Add an additional category, relative to commercial property, to the list of eligible grant recipients.
- (5) Remove certain types of energy storage systems from eligibility.
- (6) Provide that an energy storage device that cannot be integrated into a demand response program is not an eligible system as provided in proposed law.
- (7) 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, Duplessis, Fontenot, Hollis, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Stephen Wright, 695 Kiskatom Ln., Mandeville, LA 70471, (318) 663-3810, spoke in support of House Bill No. 807.

Jeff Cantin, Gulf States Renewable Energy Industry Association, 695 Kiskatom Ln., Mandeville, LA 70471, (318) 663-3810, spoke in support of House Bill No. 807.

Representative Pressly offered a motion to report House Bill No. 807 with amendments. Without objection, House Bill No. 807 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only. 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: 2 in support. Copies of these statements are included in the committee records.

House Bill No. 305 by Representative Gadberry

Representative Gadberry presented House Bill No. 305, which provides relative to the Louisiana Professional Engineering and Land Surveying Board.

Representative Hilferty in the chair.

Representative Hilferty offered amendments to:

- (1) Remove the exclusion that the engineering work not include a complete engineering system.
- (2) Remove occupancy conditions required to be met for incidental engineering work regarding renovations.
- (3) Change the occupancy requirements for new construction and additions to include an assembly occupancy limit of 299 individuals and a limit of 49 individuals for all other occupancies.
- (4) Remove the limit which set the scope of work allowed to be performed for additions at less than 50% of the gross floor area of the existing building.
- (5) Remove the limit on the allowed value of incidental engineering work relative to the total construction value for new construction.

Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Green offered a motion to report House Bill No. 305 with amendments. Without objection, House Bill No. 305 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

Representative Davis in the chair.

House Bill No. 833 by Representative McMahan

Representative Davis offered a motion to voluntarily defer action on House Bill No. 833, which provides for the burial of pet remains with human remains. Without objection, action on House Bill No. 833 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea.

House Bill No. 938 by Representative Dustin Miller

Representative Dustin Miller presented House Bill No. 938, which provides relative to licenses issued by the Louisiana State Racing Commission.

Representative Davis offered amendments to 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, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Davis offered a motion to report House Bill No. 938 with amendments. Without objection, House Bill No. 938 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea.

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

House Bill No. 796 by Representative Willard

Representative Willard presented House Bill No. 796, which establishes the Small Business Innovation Fund.

Representative Davis offered amendments, which:

- (1) Change certain references from the La. Economic Development Corporation to the Department of Economic Development.
- (2) Add an eligibility requirement that the federal application provided for in present law is submitted or received after January 1, 2023.
- (3) Move the duty of administering the fund from the La. Economic Development Corporation and the La. Technology Transfer Office to the Department of Economic Development.

- (4) Modify the disbursement amounts to allow for a lesser grant than the previously mandated disbursement amounts.
- (5) Provide that the disbursement of certain funds is to occur annually.
- (6) Allow the department to use certain monies for technical assistance.
- (7) 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, Duplessis, Fontenot, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Hilferty offered a motion to report House Bill No. 796 with amendments. Without objection, House Bill No. 796 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Duplessis, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 786 by Representative Willard

Representative Willard presented House Bill No. 786, which establishes the Small Business Innovation Retention Fund.

Representative Davis offered amendments which:

- (1) Change certain references from the La. Economic Development Corporation to the Department of Economic Development.
- (2) Add an eligibility requirement that the federal application provided for in present law is to be submitted or received prior to Jan. 1, 2023.
- (3) Move the duty of administering the fund from the La. Economic Development Corporation and the La. Technology Transfer Office to the Department of Economic Development.
- (4) Modify the disbursement amounts to allow for a lesser grant than the previously mandated disbursement amounts.
- (5) Provide that the disbursement of funds is to occur annually.

- (6) Change the disbursement period from three years to two years.
- (7) 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, Duplessis, Fontenot, Green, Hilferty, Hollis, Jordan, Pressly, St. Blanc, and Thomas voted yea.

Representative Duplessis offered a motion to report House Bill No. 786 with amendments. Without objection, House Bill No. 786 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 14 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 795 by Representative Pressly

Representative Pressly presented House Bill No. 795, which establishes the Small Business Innovation Recruitment Fund.

Representative Davis offered amendments to:

- (1) Change certain references from the La. Economic Development Corporation to the Department of Economic Development.
- (2) Provide a definition for "small business".
- (3) Move the duty of administering the fund from the La. Economic Development Corporation and the La. Technology Transfer Office to the Department of Economic Development.
- (4) Provide a mechanism for a small business to be nominated.
- (5) Modify the disbursement amounts to allow for a lesser grant than the previously mandated disbursement amounts.
- (6) Provide that the disbursement of funds is to occur annually.
- (7) Add an eligibility requirement that the federal funding provided for in present law is received within the two years preceding the submission of the application.

- (8) Require an applicant to provide proof of sales in addition to revenue.
- (9) Make technical changes.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Hilferty, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Representative Pressly offered a motion to report House Bill No. 795 with amendments. Without objection, House Bill No. 795 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Duplessis, Goudeau, Hollis, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 1 for information only. Witness cards are included in the committee records.

Representative Hilferty in the chair.

House Bill No. 973 by Representative Davis

Representative Davis presented House Bill No. 973, which provides relative to corporations.

Steve Hawkland, Louisiana Secretary of State, 8585 Archives Ave., Baton Rouge, LA 70809, (225) 773-8263, spoke in support of House Bill No. 973.

Carla Boneventure, Louisiana Secretary of State, 8585 Archives Ave., Baton Rouge, LA 70809, (225) 773-7339, spoke in support of House Bill No. 973.

Representative Hilferty offered a motion to report House Bill No. 973 favorably. Without objection, House Bill No. 973 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Davis, Goudeau, Hilferty, Hollis, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

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

House Bill No. 789 by Representative Willard

Representative Willard presented House Bill No. 789, which provides relative to the student loan lenders.

Representative Hilferty offered amendments to:

- (1) Delete lines 25 through 29 in its entirety and insert in lieu thereof "(2) A summary of the information required by Paragraph (B)(2) of this Section. (3) Copies of all promissory notes, agreements, contracts, or other instruments provided to the commissioner as required by Subparagraph (B)(2)(f) of this Section.
- (2) Make technical changes.

Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Goudeau, Hilferty, Hollis, Jordan, Newell, St. Blanc, and Thomas voted yea.

Representative Hilferty offered a technical amendment. Representative Hilferty offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Goudeau, Hilferty, Hollis, Jordan, Newell, St. Blanc, and Thomas voted yea.

Representative Hilferty offered amendments to:

- (1) Provide additional parameters relative to the definition of "private education lender".
- (2) Add a definition for "private education loan".
- (3) Allow the commissioner to set a registration fee by rule.
- (4) Allow the commissioner to provide an alternative registration process and fee structure for a provider of postsecondary education.
- (5) Remove the one-year period in which a private education lender can provide certain documents and information.
- (6) Specify that loans are to be indicated by a total number and dollar amount of the loans.
- (7) Add a requirement that a private lender include the default rate for private education loans in the information provided to the commissioner.
- (8) Provide for the authority in present law by which the commissioner can enforce proposed law.

- (9) Reduce the civil penalty that may be imposed by the commissioner from a maximum of \$25,000 to a maximum of \$1,000.
- (10) Remove provisions of proposed law that allow the commissioner to prohibit a violating lender from acting as a private education lender for 10 years.
- (11) Remove provisions of proposed law that impose liability on a private education lender for a violation of proposed law.
- (12) Make technical changes.

Davante Lewis, Louisiana Budget Project, 619 Jefferson Hwy., Ste. 1-D, Baton Rouge, LA 70806, no phone number provided, davante@labudget.org, spoke in support of House Bill No. 789.

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

Representative Newell offered a motion to report House Bill No. 789 with amendments. Without objection, House Bill No. 789 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Davis, Duplessis, Goudeau, Hilferty, Jordan, Newell, Pressly, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 1 for information only. 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.

House Bill No. 665 by Representative Willard

Representative Willard presented House Bill No. 665, which provides relative to the Louisiana Equal Housing Opportunity Act.

Representative Hilferty offered amendments to in the form of a substitute bill. Representative Hilferty 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, Duplessis, Fontenot, Goudeau, Green, Hilferty, Jordan, Newell, Pressly, St. Blanc, and Thomas voted yea.

Maxwell Ciardullo, Louisiana Fair Housing Action Center, 1340 Poydras St., Ste. 710, New Orleans, LA 70112, (504) 708-8172, spoke in support of House Bill No. 665.

Representative Davis in the chair.

Bruce Reilly, Voice of the Experienced (VOTE), 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in support of House Bill No. 665.

Earl Hagans, Step Up Louisiana, 3849 N. Timbers Ct., Harvey, LA 70058, (504) 957-3988, spoke in support of House Bill No. 665.

Oliver Francis, Step Up Louisiana, 3615 Tulane Ave., New Orleans, LA 70119, (504) 435-2835, spoke in support of House Bill No. 665.

Steven Kennedy, 927 Poeyfarre St., New Orleans, LA 70130, (504) 287-3007, spoke in support of House Bill No. 665.

Ivy Mathis, VOTE, 251 Florida Blvd., Ste. 201, Baton Rouge, LA 70802, no phone number provided, ivy@vote-nola.org, spoke in support of House Bill No. 665.

Kiana Calloway, Step Up Louisiana, 2808 Keithway Dr., Harvey, LA 70058, (504) 256-5003, spoke in support of House Bill No. 665.

Representative Hilferty in the chair.

Checo Yancy, VOTE, 251 Florida Blvd., Ste. 201, Baton Rouge, LA 70802, (225) 270-5245, spoke in support of House Bill No. 665.

Peter Robins-Brown, Louisiana Progress Action, 650 North 6th St., Baton Rouge, LA 70802, (504) 256-8196, spoke in support of House Bill No. 665.

Tammy Sponge, Apartment Association of Louisiana, 3017 Harvard Ave., Ste 201, Metairie, LA 70006, (504) 888-2492, spoke in opposition to House Bill No. 665.

Jennifer Ansardi, Apartment Association of Louisiana, P.O. Box 55815, Metairie, LA 70055, (504) 606-7700, spoke in opposition to House Bill No. 665.

Representative Davis in the chair.

Representative Newell offered a motion to report House Bill No. 665 by substitute and withdrew her motion. No vote was taken.

Representative Duplessis offered a motion to voluntarily defer action on House Bill No. 665. Without objection, action on House Bill No. 665 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Davis, Duplessis, Hilferty, Hollis, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 30 in support and 26 in opposition. Witness cards are included in the committee records.

Further action was taken by the committee on House Bill No. 665 on April 25, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 665.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Tarver offered a motion to adjourn. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Davis, Duplessis, Hilferty, Hollis, Jordan, Newell, Pressly, St. Blanc, Tarver, and Thomas voted yea.

The meeting was adjourned at 2:20 p.m.

Respectfully submitted,

Chairman Paula P. Davis
House Committee on Commerce

Date adopted: