

House Committee on Commerce

Minutes of Meeting
2024 Regular Session
May 13, 2024

I. CALL TO ORDER

Representative Daryl Andrew Deshotel, chair of the House Committee on Commerce, called the meeting to order at 9:31 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Daryl Andrew Deshotel, chair
Representative Kim Carver
Representative Vincent E. Cox, III
Representative Paula P. Davis
Representative Jessica Domangue
Representative Kyle M. Green, Jr.
Representative Troy Jude Hebert
Representative Stephanie Hilferty
Representative Edmond Jordan
Representative Alonzo L. Knox
Representative Jacob Jules Gabriel Landry
Representative Danny McCormick
Representative Dixon Wallace McMakin
Representative Shaun Raphael Mena
Representative Candace N. Newell
Representative Neil Riser
Representative Vincent "Vinney" J. St. Blanc, III
Representative Polly Thomas, vice chair

MEMBERS ABSENT:

Representative Delisha Boyd

STAFF MEMBERS PRESENT:

Victoria Kelley, attorney
Kathryn Vigrass, legislative analyst
Sharell Steven, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Nevonda Reed, division director
Randall Ike, student clerk
Angela Mamou, sergeant at arms
Stephen Louis, sergeant at arms

III. DISCUSSION OF LEGISLATION**Senate Bill No. 490 by Senator Cathey**

Representative Deshotel offered a motion to voluntarily defer action on Senate Bill No. 490, which provides relative to underground utilities and facilities. Without objection, action on Senate Bill No. 490 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Deshotel, Cox, Davis, Domangue, Hebert, Knox, Jacob Landry, McCormick, Mena, Newell, St. Blanc, and Thomas voted yea.

Senate Bill No. 301 by Senator Miguez

On behalf of Senator Miguez, Representative Romero presented Senate Bill No. 301, which provides for transactions involving firearms and ammunition retailers.

Representative Deshotel offered amendments to make technical changes. Representative Deshotel offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Deshotel, Cox, Davis, Domangue, Hebert, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Representative Deshotel offered amendments to:

- (1) Define the terms "covered entity" and "merchant category code" and use the terms accordingly throughout proposed law;
- (2) Remove the definitions and use of "financial institution" and "firearms code" from proposed law;
- (3) Amend the definitions of "payment card" and "payment card network";
- (4) Remove certain financial privacy exceptions and prohibitions;

- (5) Prohibit a payment card network from requiring or incentivizing the use of a merchant category code to distinguish firearm retailers from other retailers;
- (6) Prohibit a covered entity from assigning a merchant category code to distinguish firearm retailers from other retailers;
- (7) Remove exclusive authority of district attorneys to enforce the provisions of proposed law and leave exclusive authority with the attorney general; and
- (8) Make technical changes.

Representative Deshotel offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, Riser, St. Blanc, and Thomas voted yea.

Kelby Seanor, National Rifle Association (NRA), 11250 Waples Mill Rd., Fairfax, VA 22030, spoke in support of Senate Bill No. 301.

Darren LaSorte, National Shooting Sports Foundation, 400 N. Capitol St. N.E., Washington DC 20001, spoke in support of Senate Bill No. 301.

Joe Gendron, Louisiana Bankers Association (LBA), 5555 Bankers Ave., Baton Rouge, LA 70808, spoke for information only on Senate Bill No. 301.

Representative Jacob Landry offered a motion to report Senate Bill No. 301 with amendments. Without objection, Senate Bill No. 301 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, Riser, St. Blanc, and Thomas voted yea.

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

Prepared statements were received via email for Senate Bill No. 301 pursuant to House Rule 14.33.

Senate Bill No. 353 by Senator Mizell

Senator Mizell presented Senate Bill No. 353, which provides for massage therapists and massage establishments.

Representative Deshotel offered amendments to make technical changes. Representative Deshotel offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Amber Sukhbaatar, Massage Envy and The Sunray Companies, 1012 Madison Ave., Ste. A, Madison, MS 39110, spoke in support of Senate Bill No. 353 and provided a handout, Exhibit A, which is included in the committee records.

Senator Mark Abraham, Senate District No. 25, 130 Jamestown Rd., Lake Charles, LA 70605, no witness card provided, spoke for information only on Senate Bill No. 353.

Representative Davis offered amendments to:

- (1) Change the date a person may be eligible for license if they have completed a course meeting the requirements of law in effect at the time of enrollment if enrolled prior to such date from July 1, 2024, to January 1, 2025;
- (2) Add that the proposed law regarding the 625-hour course of study will be effective on July 1, 2024;
- (3) Remove proposed and present law regarding the 500 hour course of study required and states that schools approved prior to July 1, 2024, have until December 31, 2025 to comply with the new requirements and adds another way an individual satisfies the course requirements;
- (4) Conform language to amendment three; and
- (5) Make the act effective upon signature of the governor.

Representative Davis offered an amendment that originated in committee to change the dates from January 1, 2025, to December 31, 2026. After discussion, Representative Davis withdrew the amendment. No vote was taken.

Billy Clark, Delta College, 7380 Exchange Pl., Baton Rouge, LA 70806, spoke in support of Senate Bill No. 353.

Representative Deshotel offered a motion to temporarily defer Senate Bill No. 353. Without objection, Senate Bill No. 353 temporarily defer by a vote of 15 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Further action was taken by the committee on Senate Bill No. 353 at a later point in the meeting. Please check for the subsequent action to complete the record of discussion and motions on Senate Bill No. 353

Senate Concurrent Resolution No. 28 by Senator Mizell

Senator Mizell presented Senate Concurrent Resolution No. 28, which establishes the Louisiana-Ireland Commission.

Representative Deshotel offered amendments to make technical changes. Representative Deshotel offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Representative Newell offered a motion to report Senate Concurrent Resolution No. 28 with amendments. Without objection, Senate Concurrent Resolution No. 28 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

The committee stood at ease at 10:26 a.m. The committee reconvened at 10:38 a.m.

Representative Thomas in the chair.

House Concurrent Resolution No. 102 by Representative Wright

On behalf of Representative Wright, Representative Deshotel presented House Concurrent Resolution No. 102, which memorializes the United States Congress to protect consumers from government interference in the free market.

Representative Thomas offered amendments to make technical changes. Representative Thomas offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Representative Deshotel offered a motion to report House Concurrent Resolution No. 102 with amendments, to which Representative Knox objected. The administrative assistant called the roll, and House Concurrent Resolution No. 102 was reported with amendments by a vote of 11 yeas and 5 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Hebert, Jacob Landry, McCormick, McMakin, St. Blanc, and Thomas voted yea. Representatives Green, Jordan, Knox, Mena, and Newell voted nay.

House Concurrent Resolution No. 95 by Representative Wright

On behalf of Representative Wright, Representative Deshotel presented House Concurrent Resolution No. 95, which expresses support for the strengthening of the state's partnership with Taiwan.

Representative Deshotel offered a motion to report House Concurrent Resolution No. 95 favorably. Without objection, House Concurrent Resolution No. 95 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Representative Deshotel in the chair.

House Concurrent Resolution No. 94 by Representative Jordan

Representative Jordan offered a motion to voluntarily defer action on House Concurrent Resolution No. 94, which authorizes a joint subcommittee on commerce to study and make recommendations relative to the regulation of direct-to-consumer motor vehicle sales. Without objection, action on House Concurrent Resolution No. 94 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Senate Bill No. 10 by Senator Pressly

Senator Pressly presented Senate Bill No. 10, which provides for the recognition of separate legal personalities among affiliated corporations and other business entities.

Representative Jacob Landry offered a motion to report Senate Bill No. 10 favorably. Without objection, Senate Bill No. 10 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, 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.

Senate Bill No. 110 by Senator Pressly

Senator Pressly presented Senate Bill No. 110, which provides for certain assets and transactions subject to the Uniform Commercial Code.

Representative Deshotel offered amendments to make technical changes. Representative Deshotel offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

James Stuckey, Louisiana State Law Institute, 365 Canal St., Ste. 2000, New Orleans, LA 70130, spoke for information only on Senate Bill No. 110.

Representative Green offered a motion to report Senate Bill No. 110 with amendments. Without objection, Senate Bill No. 110 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, Riser, St. Blanc, and Thomas voted yea.

The committee stood at ease at 11:10 a.m. The committee convened at 11:21 a.m.

Senate Bill No. 353 by Senator Mizell

This is a continuation of the discussion on Senate Bill No. 353 from earlier in the meeting. Please check for the prior action to complete the record of discussion and motions on Senate Bill No. 353.

Senator Mizell presented Senate Bill No. 353, which provides for massage therapists and massage establishments.

Representative Deshotel offered amendments to:

- (1) Make technical changes
- (2) Change the date a person may be eligible for license if they have completed a course meeting the requirements of law in effect at the time of enrollment if enrolled prior to such date from July 1, 2024, to January 1, 2025;
- (3) Add that proposed law regarding the 625 hour course of study becomes effective July 1, 2024;
- (4) Add that the hours dedicated to anatomy and physiology may be taught in real-time asynchronous as well as synchronous distance learning;
- (5) Remove present and proposed law regarding the 500-hour course of study;
- (6) Add that schools approved prior to July 1, 2024, have until December 31, 2026, to comply with new requirements; and
- (7) Add what requirements individuals must satisfy to meet the requirements of present and proposed law.
- (8) Make proposed law upon signature of the governor.

Representative Deshotel offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Hilferty, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Sherri Morris, Louisiana Board of Massage Therapy, 8900 Bluebonnet Blvd., Baton Rouge, LA 70810, spoke for information only on Senate Bill No. 353.

Alex Chaumont, Louisiana Institute of Massage Therapy, 3750 Nelson Rd., Lake Charles, LA 70605, spoke in support of Senate Bill No. 353.

Representative Newell offered a motion to report Senate Bill No. 353 with amendments. Without objection, Senate Bill No. 353 was reported with amendments by a vote of 17 yeas and 0 nays.

Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Hilferty, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

Prepared statements were received via email for Senate Bill No. 353 pursuant to House Rule 14.33.

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 17 yeas and 0 nays. Representatives Deshotel, Carver, Cox, Davis, Domangue, Green, Hebert, Hilferty, Jordan, Knox, Jacob Landry, McCormick, McMakin, Mena, Newell, St. Blanc, and Thomas voted yea.

The meeting was adjourned at 11:53 a.m.

Respectfully submitted,

Chair Daryl Andrew Deshotel
House Committee on Commerce

Date adopted: