

## House Committee on Commerce

Minutes of Meeting  
2016 Regular Session  
April 12, 2016

### I. CALL TO ORDER

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 9:36 a.m. in Room 1, in the State Capitol in Baton Rouge, Louisiana.

### II. ROLL CALL

#### MEMBERS PRESENT:

Representative Thomas G. Carmody, Jr., chairman  
Representative John F. "Andy" Anders  
Representative Chad Brown  
Representative Patrick Connick  
Representative Jean-Paul P. Coussan  
Representative Kenny R. Cox  
Representative Reid Falconer  
Representative Cedric B. Glover  
Representative Paul Hollis, vice chairman  
Representative Patrick O. Jefferson  
Representative Christopher J. Leopold  
Representative Joseph P. Lopinto III  
Representative Rodney Lyons  
Representative Helena N. Moreno  
Representative J. Kevin Pearson  
Representative Edward J. Price  
Representative Stephen E. Pugh  
Representative H. Eugene Reynolds  
Representative Robert E. Shadoin

#### MEMBERS ABSENT:

#### STAFF MEMBERS PRESENT:

Sandy Painting, secretary  
Rashida Keith, attorney  
Thomas Devillier, attorney

**ADDITIONAL ATTENDEES PRESENT:**

Beverly Vincent, sergeant at arms  
Jefferson Honeywell, clerk

**III. DISCUSSION OF LEGISLATION****House Bill No. 472 by Representative Falconer**

Representative Falconer presented House Bill No. 472, which provides relative to the Louisiana Architecture Education and Research Fund.

Mr. Paul Spaht, Louisiana State Board of Architectural Examiners, 4232 Bluebonnet Blvd., Baton Rouge, LA 70809, (225) 490-9545, spoke in support of House Bill No. 472.

Mr. Lynn Robertson, American Institute of Architects, 521 America St., Baton Rouge, LA 70802, (225) 382-5579, spoke in support of House Bill No. 472.

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

Representative Pugh offered a motion to report House Bill No. 472 favorably. Without objection, House Bill No. 472 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lyons, Pearson, Pugh, and Shadoin voted yea.

**House Bill No. 532 by Representative Falconer**

Representative Falconer presented House Bill No. 532, which provides relative to the powers and authority of the Louisiana State Board of Architectural Examiners.

Representative Carmody offered technical amendments to House Bill No. 532. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lyons, Pearson, Pugh, and Shadoin voted yea.

Representative Carmody offered amendments to House Bill No. 532, which would reorganize proposed law to improve readability. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lyons, Pearson, Pugh, and Shadoin voted yea.

Mr. Paul Spaht, Louisiana State Board of Architectural Examiners, 4232 Bluebonnet Blvd., Baton Rouge, LA 70809, (225) 490-9545, spoke in support of House Bill No. 472.

Mr. Lynn Robertson, American Institute of Architects, 521 America St., Baton Rouge, LA 70802, (225) 382-5579, spoke in support of House Bill No. 472.

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

Representative Pearson offered a motion to report House Bill No. 532 with amendments. Without objection, House Bill No. 532 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lyons, Pearson, Pugh, Reynolds, and Shadoin voted yea.

### **House Bill No. 559 by Representative Pierre**

Representative Pierre presented House Bill No. 559, which prohibits the use of certain non-OEM aftermarket parts at the direction of an insurer under certain circumstances.

Mr. Jim Donelon, Louisiana Department of Insurance, 1702 N. 3<sup>rd</sup> St., Baton Rouge, LA 70804, (225) 342-7275, spoke for information only on House Bill No. 559.

Representative Carmody offered amendments to House Bill No. 559, which would clarify the term "anti-lock braking system"; would establish that a repair facility or installer is prohibited from using anything other than OEM aftermarket safety parts to repair unless those parts are not commercially available; and would provide that if OEM aftermarket safety parts are not commercially available, the repair facility or installer, not the insurer, must provide certain information to the claimant in writing before repairs begin including an estimate that clearly identifies each such part that is not commercially available. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lopinto, Lyons, Pearson, Pugh, and Reynolds voted yea.

Mr. Warren Byrd, Louisiana Department of Insurance, Baton Rouge, LA, (225) 342-5203, spoke for information only on House Bill No. 559.

Mr. Jorge Conforme, LKQ Corporation, 500 W. Madison, Chicago, IL, (305) 904-3095, spoke in opposition to House Bill No. 559.

Ms. Patricia Felder, Felder's Collision Parts, Inc., 1375 Rushmore Dr., Baton Rouge, LA 70819, spoke in opposition to House Bill No. 559.

Mr. Jesse McCormick, LKQ, 530 Spanish Town Rd., Baton Rouge, LA 70802, (225) 202-1875, spoke in opposition to House Bill No. 559.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 4 in opposition. Witness cards are included in the committee records.

Representative Connick offered a motion to report House Bill No. 559 with amendments, to which Representative Pearson objected. The secretary called the roll, and House Bill No. 559 was reported with amendments by a vote of 10 yeas and 6 nays. Representatives Carmody, Anders, Chad Brown, Connick, Falconer, Glover, Hollis, Jefferson, Lyons, and Moreno voted yea. Representatives Coussan, Cox, Lopinto, Pearson, Pugh, and Reynolds voted nay.

### **House Bill No. 678 by Representative Carmody**

Representative Carmody presented House Bill No. 678, which provides for the assessment of a surcharge fee on prepaid 911 services.

Representative Hollis offered amendments to House Bill No. 678, which would remove all references to wireless telecommunications products; would remove the definitions of "wireless communications service" and "product"; and would add proposed law to require all revenues collected from the assessment of 911 surcharge fees to be used for the sole purpose of providing 911 emergency response communications services and operations. Representative Hollis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lopinto, Lyons, Moreno, Pearson, Pugh, and Reynolds voted yea.

Ms. Martha Carter, Caddo Parish 9-1-1, 1144 Texas Ave., Shreveport, LA 71101, (318) 675-2222, spoke in support of House Bill No. 678.

Mr. Duane Cowart, Verizon, 10935 Perkins Rd., Ste. A, Baton Rouge, LA, (225) 819-9945, spoke in opposition to House Bill No. 678.

Ms. Julie Thornton, Century Link, Monroe, LA, (225) 751-6651, spoke in opposition to House Bill No. 678.

Mr. Rob Rieger, Adams and Reese, 450 Laurel St., Baton Rouge, LA 70801, (225) 336-5200, spoke in opposition to House Bill No. 678.

Mr. Danny Wilson, AT&T, 301 Main St., Ste. 1018, Baton Rouge, LA 70821, (225) 382-0045, spoke in opposition to House Bill No. 678.

Witness cards submitted by individuals who did not speak are as follows: 44 in support and 3 in opposition. Witness cards are included in the committee records.

Representative Cox offered a motion to report House Bill No. 678 with amendments. Without objection, House Bill No. 678 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Leopold, Lopinto, Lyons, Moreno, Price, Pugh, Reynolds, and Shadoin voted yea.

#### **House Bill No. 805 by Representative Broadwater**

Representative Broadwater presented House Bill No. 805, which provides relative to communication districts.

Representative Carmody offered amendments to House Bill No. 805, which would require all revenues collected from the assessment of 911 surcharge fees to be used for the sole purpose of providing 911 emergency response communications services and operations and would prohibit diversion of the revenues for use by any other entity or for any other purpose other than those outlined in the present law. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Leopold, Lopinto, Lyons, Moreno, Price, Pugh, Reynolds, and Shadoin voted yea.

Mr. Duane Cowart, Verizon, 10935 Perkins Rd., Ste. A, Baton Rouge, LA, (225) 819-9945, spoke in opposition to House Bill No. 805

Ms. Julie Thornton, Century Link, Monroe, LA, (225) 751-6651, spoke in opposition to House Bill No. 805.

Ms. Martha Carter, Caddo Parish 9-1-1, 1144 Texas Ave., Shreveport, LA 71101, (318) 675-2222, spoke in favor of House Bill No. 805.

Witness cards submitted by individuals who did not speak are as follows: 47 in support. Witness cards are included in the committee records.

Representative Pugh offered a motion to report House Bill No. 805 with amendments. Without objection, House Bill No. 805 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Chad Brown, Connick, Coussan, Cox, Falconer, Glover, Hollis, Jefferson, Leopold, Lopinto, Lyons, Moreno, Price, Pugh, Reynolds, and Shadoin voted yea.

#### **IV. OTHER BUSINESS**

There was no other business discussed.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 12:09 p.m.

Respectfully submitted,

Chairman Thomas G. Carmody, Jr.  
House Committee on Commerce