

House Committee on Commerce

Minutes of Meeting
2016 Regular Session
April 19, 2016

I. CALL TO ORDER

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 9:33 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 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 Edward J. Price
Representative Stephen E. Pugh
Representative H. Eugene Reynolds
Representative Robert E. Shadoin

MEMBERS ABSENT:

Representative Kenny R. Cox
Representative Helena N. Moreno
Representative J. Kevin Pearson

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. 952 by Representative Moreno

Representative Moreno presented House Bill No. 952, which provides with respect to short-term rental structures.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 952. Without objection, action on House Bill No. 952 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Lyons, Price, Pugh, and Reynolds voted yea.

House Bill No. 1014 by Representative Berthelot

Representative Berthelot presented House Bill No. 1014, which provides relative to licensing within the Life Safety and Property Protection Licensing Act.

Mr. Butch Browning, Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806, spoke for information only on House Bill No. 1014.

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. 1014 favorably. Without objection, House Bill No. 1014 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Lyons, Price, Pugh, and Reynolds voted yea.

House Bill No. 1015 by Representative Berthelot

Representative Berthelot presented House Bill No. 1015, which changes the designation of rule making authority relative to the state fire marshal and the Department of Health and Hospitals.

Mr. Butch Browning, Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806, spoke for information only on House Bill No. 1015.

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

Representative Lyons offered a motion to report House Bill No. 1015 favorably. Without objection, House Bill No. 1015 was reported favorably by a vote of 13 yeas and 0 nays. Representatives

Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Lyons, Price, Pugh, and Reynolds voted yea.

House Bill No. 1133 by Representative Berthelot

Representative Berthelot presented House Bill No. 1133, which provides relative to revisions of the Amusement Rides Safety Law.

Representative Price offered amendments to House Bill No. 1133, which would include a designee of the fire marshal as a proper person to perform certain actions in proposed law; would modify the definition of "operator" within proposed law; would clarify that a third-party inspector provide the certificate of inspection and the fire marshal issue the certificate of registration; would require a third-party inspector to submit a certificate of inspection to the fire marshal after certain inspections; would provide the fire marshal with sole authority to indicate the remediation of certain deficiencies; would require an operator to submit the set-up inspection report and other certain documentation to the fire marshal or his designee; and would clarify the distinction between license endorsements for inspection and operation. Representative Price 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, Jefferson, Leopold, Lopinto, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

Representative Carmody offered amendments to House Bill No. 1133, which would modify terminology with respect to certain certificates issued by the secretary of state that are required to be filed with the fire marshal. 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, Jefferson, Leopold, Lopinto, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

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

Representative Price offered a motion to report House Bill No. 1133 with amendments. Without objection, House Bill No. 1133 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Leopold, Lopinto, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

House Bill No. 960 by Representative Adams

Mr. Butch Browning, Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806, presented House Bill No. 960 on behalf of Representative Adams, which provides relative to requirements imposed on temporary housing.

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

Representative Price offered a motion to report House Bill No. 960 favorably. Without objection, House Bill No. 960 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Leopold, Lopinto, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

House Bill No. 668 by Representative Carmody

Representative Carmody presented House Bill No. 668, which provides for the protection of vulnerable adults from financial exploitation.

Mr. Sid Seymour, Office of Financial Institutions, 8660 United Plaza Blvd., Baton Rouge, LA 70809, (225) 925-4675, spoke for information only on House Bill No. 668.

Mr. Joe Gendron, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 214-4834, spoke in support of House Bill No. 668.

Mr. Scott Jolly, Office of Financial Institutions, 8660 United Plaza Blvd., Baton Rouge, LA 70809, (225) 925-4170, spoke for information only on House Bill No. 668.

Representative Hollis offered amendments to House Bill No. 668, which would modify certain defined terms and clarify references to those terms; would add the disclosures made pursuant to proposed law to an enumerated list of authorized disclosures made by banks or banking affiliates; would remove a standard of reasonableness in certain disclosures made by covered financial institutions to either covered agencies or to designated third parties; would require that any designation of a third party by an eligible adult must be made in writing; would delete a reference to "any other abuse" relative to limiting disclosures made to previously designated third parties who are suspected of financial exploitation of the eligible adult; would delete all provisions relative to regulations imposed on the delay of certain disbursements; would modify immunity provisions regarding any act or failure to act pursuant to the provisions of proposed law relative to certain financial disclosures; and would provide reference for an exemption to public records law. Representative Hollis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

Representative Hollis offered a motion to report House Bill No. 668 with amendments. Without objection, House Bill No. 668 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Jefferson, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

Senate Bill No. 144 by Senator Martiny

Senator Martiny presented Senate Bill No. 144, which provides relative to state banks' accounting for immovable property.

Mr. Sid Seymour, Office of Financial Institutions, 8660 United Plaza Blvd., Baton Rouge, LA 70809, (225) 925-4675, spoke for information only on House Bill No. 668.

Representative Carmody offered technical amendments to Senate Bill No. 144. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Lyons, Price, Pugh, Reynolds, and Shadoin voted yea.

Representative Connick offered a motion to report Senate Bill No. 144 with amendments. Without objection, Senate Bill No. 144 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Lyons, Price, Pugh, and Shadoin voted yea.

Senate Bill No. 145 by Senator Martiny

Senator Martiny presented Senate Bill No. 145, which repeals certain provisions of the Sale of Checks and Money Transmission Act.

Mr. Darin Domingue, Office of Financial Institutions, 8660 United Plaza Blvd., Baton Rouge, LA 70809, (225) 922-2596, spoke for information only on House Bill No. 145.

Representative Carmody offered technical amendments to Senate Bill No. 145. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Lyons, Pugh, and Reynolds voted yea.

Representative Pugh offered a motion to report Senate Bill No. 145 with amendments. Without objection, Senate Bill No. 145 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Falconer, Glover, Hollis, Lyons, Pugh, and Reynolds voted yea.

IV. OTHER BUSINESS

There was no other business discussed.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 10:46 a.m.

Respectfully submitted,

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