

## House Committee on Commerce

Minutes of Meeting  
2018 Regular Session  
May 1, 2018

### I. CALL TO ORDER

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 9:09 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 Cedric B. Glover  
Representative Paul Hollis, vice chairman  
Representative Patrick O. Jefferson  
Representative Edmond Jordan  
Representative Rodney Lyons  
Representative J. Kevin Pearson  
Representative Stephen E. Pugh  
Representative H. Eugene Reynolds  
Representative Robert E. Shadoin  
Representative Polly Thomas

#### MEMBERS ABSENT:

Representative Kenny R. Cox  
Representative Stephanie Hilferty  
Representative Christopher J. Leopold

#### STAFF MEMBERS PRESENT:

Rashida Keith, attorney  
Halie Guidry, legislative analyst  
Sandy Painting, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Beverly Vincent, sergeant at arms

Myrtis Jarrell, sergeant at arms

**III. DISCUSSION OF LEGISLATION****Senate Bill No. 204 by Senator Gary Smith**

Representative Carmody offered a motion to voluntarily defer action on Senate Bill No. 204, which provides relative to caller ID spoofing. Without objection, action on Senate Bill No. 204 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Connick, Glover, Hollis, Jefferson, Lyons, Pugh, Reynolds, Shadoin, and Thomas voted yea.

**Senate Concurrent Resolution No. 83 by Senator Peacock**

Senator Peacock presented Senate Concurrent Resolution No. 83, which requests occupational and professional licensing boards and commissions to display prominently on their websites a link to licensing information for military-trained applicants and their family members.

Representative Thomas offered a motion to report Senate Concurrent Resolution No. 83 favorably. Without objection, Senate Concurrent Resolution No. 83 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Connick, Glover, Hollis, Jefferson, Lyons, Pugh, Reynolds, Shadoin, and Thomas voted yea.

There were no witness cards submitted on Senate Concurrent Resolution No. 83.

**Senate Bill No. 540 by Senator Riser**

Senator Riser presented Senate Bill No. 540, which provides relative to the Louisiana Cemetery Board.

Representative Jefferson offered a motion to report Senate Bill No. 540 favorably. Without objection, Senate Bill No. 540 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Connick, Glover, Hollis, Jefferson, Lyons, Pearson, Pugh, Reynolds, Shadoin, and Thomas 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.

**House Bill No. 674 by Representative Norton**

Representative Norton presented House Bill No. 674, which provides relative to the documents that an owner who sells a vehicle for scrap must present to the purchaser.

Representative Jefferson offered amendments to House Bill No. 674, which would delete "bill of sale" in the bill. Representative Jefferson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Glover, Hollis, Jefferson, Lyons, Pearson, Pugh, Reynolds, Shadoin, and Thomas voted yea.

Representative Carmody offered amendments to House Bill No. 674, which would specify a secondary metal processor or licensed automotive dismantler and parts recycler make required reporting of an auto hulk's vehicle identification number to the office of motor vehicles' hulk database; would remove the required time frame for reporting to the database from within 72 hours of the purchase of an auto hulk to prior to the dismantling, crushing, or other destruction of the auto hulk; would require the office of motor vehicles to send a return message to the processor or recycler indicating successful entry into the system; would prohibit the processor or recycler from dismantling or destroying the auto hulk, if the return message indicates the auto hulk has been reported as stolen; and would require the processor or recycler to notify local law enforcement of the auto hulk's location, if the auto hulk was indicated as stolen. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, Jefferson, Lyons, Pearson, Reynolds, and Shadoin voted yea.

Ms. Jill Jarreau, Office of Motor Vehicles, 7979 Independence Blvd., Baton Rouge, LA, (225) 925-7917, spoke for information only on House Bill No. 674.

Mr. Carrol Jim Smith, 2702 Amelia, Shreveport, LA 71108, (318) 218-9690, spoke in support of House Bill No. 674.

Mr. Stephen Quidd, Office of Motor Vehicles, P. O. Box 66614, Baton Rouge, LA 70896, (225) 925-6103, spoke for information only on House Bill No. 674.

Lt. Cordell Williams, Louisiana State Police, 7919 Independence Blvd., Baton Rouge, LA 70806, (318) 617-7903, spoke for information only on House Bill No. 674.

Mr. Lenny Kopowski, Louisiana Recyclers Association, (no address provided), (504) 606-8635, spoke in opposition to House Bill No. 674.

Mr. Chip Hunter, Southern Recycling, 6847 Scenic Hwy., Baton Rouge, LA, (225) 413-9397, spoke in opposition to House Bill No. 674.

Mr. Chip DeJean, Louisiana Recyclers Association, 2527 S. Westport Dr., Port Allen, LA 70767, (225) 389-1108, spoke in opposition to House Bill No. 674.

Mr. Steve Duke, Louisiana Recyclers Association, P.O. Box 80029, Baton Rouge, LA 70898, (225) 324-6960, spoke in opposition to House Bill No. 674.

Mr. Kevin Cunningham, Southern Recycling, 543 Spanish Town Rd., Baton Rouge, LA 70802, (225) 381-0166, spoke in opposition to House Bill No. 674.

Mr. Joseph Bistes, Pull-A-Part, 431 N. Corniche Du Lac, Covington, LA 70433, (504) 648-7876, spoke in opposition to House Bill No. 674.

Representative Jefferson offered a motion to report House Bill No. 674 with amendments. Without objection, House Bill No. 674 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, Jefferson, Lyons, Reynolds, and Shadoin voted yea.

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

#### **Senate Bill No. 442 by Senator Morrell**

On behalf of Senator Morrell, Representative Lyons presented Senate Bill No. 442, which requires companies who sell DNA testing kits to inform a purchaser of certain information.

Representative Carmody offered amendments to Senate Bill No. 442, which would remove all provisions relative to the advertising of DNA testing kits; would change all references from purchaser to user with respect to the person who uses a company's DNA testing kit for a specified purpose; would modify notice content with respect to the notices a company selling DNA testing kits is required to provide to a user; and would require the company selling DNA testing kits to provide notices through a website or mobile application, if the user is required to access the website or mobile application to obtain the DNA testing service that was purchased, or through written notice included in the box containing the testing kit. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, Lyons, Reynolds, and Shadoin voted yea.

Representative Carmody offered a motion to report Senate Bill No. 442 with amendments. Without objection, Senate Bill No. 442 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, Lyons, Reynolds, and Shadoin 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.

### **Senate Bill No. 265 by Senator Morrell**

On behalf of Senator Morrell, Representative Lyons presented Senate Bill No. 265, which provides for minimum standards for elevator access to multistory courthouses for the disabled community.

Representative Lyons offered amendments to Senate Bill No. 265, which would change the maximum amount of time an elevator can remain out of service for repair from three weeks to twenty-one consecutive days per malfunction; would make an exception to twenty-one day limit in instances where the state fire marshal determines that extenuating circumstances necessitate that the elevator remain out of service for a longer period of time; and would require the state fire marshal to extend the twenty-one day limit and notify the owner of the new deadline when he has determined that an extension is required. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, Jordan, Lyons, Reynolds, and Shadoin voted yea.

Representative Connick offered a motion to report Senate Bill No. 265 with amendments, to which Representative Shadoin objected. A roll call vote was taken, and Senate Bill No. 265 was reported with amendments by a vote of 7 yeas and 5 nays. Representatives Carmody, Anders, Connick, Glover, Hollis, Jordan, and Lyons voted yea. Representatives Chad Brown, Coussan, Jefferson, Reynolds, and Shadoin voted nay.

There were no witness cards submitted on Senate Bill No. 265.

### **House Concurrent Resolution No. 74 by Representative Connick**

Representative Connick presented House Concurrent Resolution No. 74, which requests a study regarding the feasibility of merging the Board of Barber Examiners and the Louisiana State Board of Cosmetology.

Representative Coussan offered a motion to report House Concurrent Resolution No. 74 favorably. Without objection, House Concurrent Resolution No. 74 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, Jefferson, Jordan, Lyons, Reynolds, and Shadoin 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.

**Senate Bill No. 293 by Senator Barrow**

Senator Barrow presented Senate Bill No. 293, which provides relative to the State Licensing Board for Contractors.

Representative Carmody offered amendments to Senate Bill No. 293, which would add two members to the State Licensing Board for Contractors and change the number of members required for a quorum. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, Jefferson, Jordan, Lyons, Reynolds, and Shadoin voted yea.

Mr. Michael McDuff, State Licensing Board for Contractors, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 763-3983, spoke for information only on Senate Bill No. 293.

Representative Jordan offered a motion to report Senate Bill No. 293 with amendments. Without objection, Senate Bill No. 293 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, Jefferson, Jordan, Lyons, Reynolds, and Shadoin 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 Concurrent Resolution No. 72 by Representative Stokes**

Representative Stokes presented House Concurrent Resolution No. 72, which creates the daylight saving time task force to study daylight saving time versus standard time.

Representative Jefferson offered a motion to report House Concurrent Resolution No. 72 favorably. Without objection, House Concurrent Resolution No. 72 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, Jefferson, Jordan, Lyons, Reynolds, Shadoin, and Thomas voted yea.

There were no witness cards submitted on House Concurrent Resolution No. 72.

**House Bill No. 679 by Representative Jordan**

Representative Jordan presented House Bill No. 679, which creates the Internet Privacy and Protection Act.

Representative Carmody offered amendments to House Bill No 679, which would add exceptions and change "shall not" to "may". Without objection, the amendments were adopted by a vote of 10

yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, Jefferson, Jordan, Lyons, and Reynolds voted yea.

Mr. Andy Kingman, State Privacy and Security Coalition, 33 Arch St., 26<sup>th</sup> Fl., Boston, MA 02110, (617) 406-6037, spoke in opposition to House Bill No. 679.

Representative Jordan made a motion to report House Bill No. 679 with amendments, to which Representative Carmody objected.

Representative Carmody made a substitute motion to involuntarily defer action on House Bill No. 679. A roll call vote was taken and action on House Bill No. 679 was involuntarily deferred by a vote of 10 yeas and 2 nays. Representatives Carmody, Brown, Connick, Coussan, Hollis, Jefferson, Pearson, Reynolds, Shadoin, and Thomas voted yea. Representatives Jordan and Lyons voted nay.

Witness cards submitted by individuals who did not speak are as follows: 19 in opposition. Witness cards are included in the committee records.

#### **Senate Bill No. 412 by Senator White**

Representative Carmody presented Senate Bill No. 412 on behalf of Senator White, which adds "employee" to those individuals authorized to keep a register of motor vehicle sales in salvage pools.

Representative Thomas offered a motion to report Senate Bill No. 412 favorably. Without objection, Senate Bill No. 412 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Hollis, Jefferson, Jordan, Lyons, Pearson, Reynolds, Shadoin, and Thomas voted yea.

There were no witness cards submitted on Senate Bill No. 412.

#### **Senate Bill No. 111 by Senator Cortez**

Representative Carmody present Senate Bill No. 111 on behalf of Senator Cortez, which provides relative to the State Boxing and Wrestling Commission.

Representative Lyons offered a motion to report Senate Bill No. 111 favorably. Without objection, Senate Bill No. 111 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Hollis, Lyons, Pearson, Reynolds, Shadoin, and Thomas voted yea.

There were no witness cards submitted on Senate Bill No. 111.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 11:47 a.m.

Respectfully submitted,

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