

## House Committee on Commerce

Minutes of Meeting  
2019 Regular Session  
April 23, 2019

### **I. CALL TO ORDER**

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 9:35 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 Cedric B. Glover  
Representative Stephanie Hilferty  
Representative Paul Hollis, vice chairman  
Representative Patrick O. Jefferson  
Representative Edmond Jordan  
Representative Christopher J. Leopold  
Representative Rodney Lyons  
Representative Wayne McMahan  
Representative Stuart Alan Moss  
Representative J. Kevin Pearson  
Representative Stephen E. Pugh  
Representative Polly Thomas  
Representative Christopher Turner

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

Sandy Painting, secretary  
Shana Veade, attorney

Halie Guidry, legislative analyst

**ADDITIONAL ATTENDEES PRESENT:**

Beverly Vincent, sergeant at arms  
Ben Smith, clerk

**III. DISCUSSION OF LEGISLATION**

**House Bill No. 196 by Representative Falconer**

Representative Falconer presented House Bill No. 196, which exempts the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from time limitations for disciplinary proceedings by professional and occupational boards and commissions.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 196. Without objection, action on House Bill No. 196 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

**House Bill No. 354 by Representative Falconer**

Representative Falconer presented House Bill No. 354, which provides with respect to exemptions from licensure requirements in the practice of architecture.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 354. Without objection, action on House Bill No. 354 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

**House Bill No. 300 by Representative Carmody**

Representative Carmody presented House Bill No. 300, which provides with respect to fees paid to the Public Service Commission by motor carriers.

Representative Pugh offered a motion to voluntarily defer action on House Bill No. 300. Without objection, action on House Bill No. 300 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hilferty, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Mr. Brandon Frey, Louisiana Public Service Commission, Galvez Bldg., Baton Rouge, LA 70802, (225) 342-4427, spoke for information only.

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. 78 by Representative Carmody**

Representative Carmody presented House Bill No. 78, which provides for the remission of a contractor's license renewal fee for the benefit of public construction education programs.

Representative Pugh offered a motion to voluntarily defer action on House Bill No. 78. Without objection, action on House Bill No. 78 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hilferty, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

### **House Bill No. 145 by Representative Coussan**

Representative Coussan presented House Bill No. 145, which provides for the disclosure of certain financial records to law enforcement pursuant to a search warrant.

Representative Moss offered a motion to report House Bill No. 145 favorably. Without objection, House Bill No. 145 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hilferty, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner 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. 303 by Representative Coussan**

Representative Coussan presented House Bill No. 303, which provides for fingerprinting for criminal history background checks for employment in a financial institution.

Mr. Scott Jolly, Office of Financial Institutions, 8660 United Plaza Blvd., Baton Rouge, LA 70809, (225) 926-4660, spoke for information only.

Representative Moss offered a motion to report House Bill No. 303 favorably. Without objection, House Bill No. 303 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Glover, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner 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. 340 by Representative Hollis**

Representative Hollis presented House Bill No. 340, which provides relative to real estate appraisers.

Representative Carmody offered a technical amendment to House Bill No. 340. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Carmody, Chad Brown, Connick, Coussan, Glover, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Representative Coussan offered a motion to report House Bill No. 340 with amendments. Without objection, House Bill No. 340 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

There were no witness cards submitted for House Bill No. 340.

**House Bill No. 396 by Representative Anders**

Representative Anders presented House Bill No. 396, which provides relative to bank operating subsidiaries.

Representative Carmody offered amendments to House Bill No. 396, which would remove the authorization for a state bank, through a wholly-owned operating subsidiary, to conduct any activity or make any investment that a national bank is authorized to conduct or make under state or federal law. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Mr. David Boneno, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, (225) 214-4836, spoke in support of House Bill No. 396.

Representative Pugh offered a motion to report House Bill No. 396 with amendments. Without objection, House Bill No. 396 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner 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. 423 by Representative Emerson**

Representative Emerson presented House Bill No. 423, which repeals the ability of a professional board or commission to revoke an occupational or professional license for failure to pay student loans.

Mr. Davante Lewis, Louisiana Budget Project, 619 Jefferson Hwy., Ste. 1-D, Baton Rouge, LA 70806, (225) 614-9126, ext. 2, spoke in support of House Bill No. 423.

Representative Chad Brown offered a motion to report House Bill No. 423 favorably. Without objection, House Bill No. 423 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Glover, Hollis, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 17 in support. Witness cards are included in the committee records.

**House Bill No. 405 by Representative Amedee**

Representative Amedee presented House Bill No. 405, which provides relative to the deregulation of professional wrestling.

Mr. Brett Landry, 828 Waldo St., Metairie, LA 70003, (504) 231-8728, spoke in support of House Bill No. 405.

Representative Connick offered a motion to report House Bill No. 405 favorably, to which Representative Carmody objected. The secretary called the roll, and House Bill No. 405 was reported favorably by a vote of 14 yeas and 2 nays. Representatives Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hollis, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea. Representatives Carmody and Jefferson voted nay.

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

**House Bill No. 463 by Representative Bagneris**

Representative Bagneris presented House Bill No. 463, which provides relative to the definition of "qualified event" or "qualified major event" as used in the Major Events Incentive Program.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 463. Without objection, action on House Bill No. 463 was voluntarily deferred by a vote of 16 yeas and

0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hollis, Jefferson, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner 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. 385 by Representative Schexnayder**

Representative Schexnayder presented House Bill No. 385, which provides relative to purse distribution.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 385. Without objection, action on House Bill No. 385 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hollis, Jefferson, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner 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. 413 by Representative Miguez**

Representative Miguez presented House Bill No. 413, which provides that it shall be unlawful discrimination for a financial institution to refuse to provide services to any party because of the party's lawful engagement in commerce of firearms and ammunition.

Representative Carmody offered amendments to House Bill No. 413, which would expand the protection to persons who manufacture, service, rent, provide training relative to, or provide a facility designed for qualification, training, or practice relative to firearms or ammunition. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hollis, Jefferson, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Representative Carmody offered amendments to House Bill No. 413, which would add a provision mandating that the withholding of financial services for any business reason or directive by a regulatory not be considered a violation; would allow a bank, credit union, financial institution, payment processor, savings and loan association, or trust company to comply with any conflicting law or regulation; would require the attorney general to be presented with direct credible evidence of a violation before initiating an investigation; would remove certain requirements; would require a court to find clear and convincing evidence of a violation, in order for the state to prevail in an action; and would create an exception for any bank, credit union, financial institution, payment processor, savings and loan association, or trust company that is chartered under present law, to the extent that federal law precludes or preempts, the application of proposed law to any federally

chartered bank, credit union, financial institution, payment processor, savings and loan association, or trust company. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hollis, Jefferson, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Mr. Dan Zelenka, Louisiana Shooting Association, 11 Carolina Ct., Covington, LA 70433, (504) 421-1323, spoke in support of House Bill No. 413.

Mr. Joshua Barnhill, Acadian Armament, 910 Harding St., Lafayette, LA 70503, (337) 258-8808, spoke in support of House Bill No. 413.

Mr. William Hineman, Firearms Professionals of Louisiana, 45046 Riverside Ct., St. Amant, LA 70774, (225) 571-5605, spoke in support of House Bill No. 413.

Mr. Trevor Santos, National Shooting Sports Foundation, 400 N. Capitol St. NW, Ste. 475, Washington, DC 20001, (202) 220-1340 x 205, spoke in support of House Bill No. 413.

Ms. Kaitlyn Joshua, Moms Demand Action, 4821 Inniswald Rd., Baton Rouge, LA 70809, (225) 454-8321, spoke in opposition to House Bill No. 413.

Representative Coussan made a motion to report House Bill No. 413 with amendments. There was no objection and House Bill No. 413 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hilferty, Hollis, Jefferson, Jordan, Lyons, McMahan, Moss, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 in opposition. Witness cards are included in the committee records.

### **House Bill No. 322 by Representative Turner**

Representative Turner presented House Bill No. 322, which provides for the inspection and investigation of premises by a fire prevention bureau.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 322. Without objection, action on House Bill No. 322 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Glover, Hollis, Jefferson, Leopold, McMahan, Moss, Pearson, Pugh, Thomas, and Turner 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.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 12:31 p.m.

Respectfully submitted,

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