

House Committee on Commerce

Minutes of Meeting
2023 Regular Session
April 24, 2023

I. CALL TO ORDER

Representative Paula P. Davis, chairman of the House Committee on Commerce, called the meeting to order at 9:51 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Paula P. Davis, chairman
Representative Chad Brown
Representative Kenny R. Cox
Representative Adrian Fisher
Representative Bryan Fontenot
Representative Jonathan Goudeau, I
Representative Kyle M. Green, Jr.
Representative Stephanie Hilferty, vice chairman
Representative Paul Hollis
Representative Edmond Jordan
Representative Vanessa Caston LaFleur
Representative Scott McKnight
Representative Candace N. Newell
Representative Thomas A. Pressly
Representative Vincent "Vinney" J. St. Blanc, III
Representative Polly Thomas

MEMBERS ABSENT:

Representative Phillip Eric Tarver

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Nevonda Reed, division director

III. DISCUSSION OF LEGISLATION**House Bill No. 470 by Representative DuBuisson**

Representative DuBuisson presented House Bill No. 470, which provides relative to licensure of cosmetologists.

Representative Newell offered amendments to:

- (1) Add an effective date of Aug. 1, 2024.
- (2) Make technical changes.

Representative Newell offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Fontenot, Goudeau, Hilferty, Hollis, Jordan, LaFleur, Newell, St. Blanc, and Thomas voted yea.

Jeremy Aydell, P.O. Box 460, French Settlement, LA 70733, (225) 324-3421, spoke in support of House Bill No. 470.

Ryan Haynie, Aveda, P.O. Box 44052 Baton Rouge, LA 70804, (225) 336-4143, spoke in support of House Bill No. 470.

Kalli Blackwell, Aveda Arts and Science, 303 S. Pine St., Hammond, LA 70403, (985) 966-6102, spoke in support of House Bill No. 470.

Sheri Morris, Louisiana State Board of Cosmetology, 8900 Bluebonnet Blvd., Baton Rouge, LA 70810, (225) 421-4860, spoke for information only on House Bill No. 470.

Sarah Dugas, 57 Colony Trail Dr., Mandeville, LA 70448, (985) 320-8547, spoke in support of House Bill No. 470.

Kiesha Barras, Stellar Beauty Studios and Institute, 214 Rue Louis XIV, Lafayette, LA 70508, (337) 519-6345, spoke in opposition to House Bill No. 470.

Pricilla Marcel, Omega Institute, 229 S. Hollywood Rd., Houma, LA 70360, (985) 876-9334, spoke in opposition to House Bill No. 470 and provided a handout, Exhibit A, which is included in the committee records.

Dana Luna, Opelousas School of Cosmetology, 529 E. Vine St., Opelousas, LA 70570, (337) 942-6147, spoke in opposition to House Bill No. 470.

Vivian Glaze, The Salon, 1544 Camp St., New Orleans, LA 70130, (318) 613-2847, spoke in opposition to House Bill No. 470.

Gina Hand, 128 Cockerham Rd., Denham Springs, LA 70726, (225) 921-5992, spoke in opposition to House Bill No. 470.

Representative Davis offered a motion to report House Bill No. 470 with amendments. Without objection, House Bill No. 470 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Goudeau, Hollis, Jordan, LaFleur, Pressly, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in opposition. Witness cards are included in the committee records.

Statements submitted in lieu of appearing before the committee are as follows: 3 in opposition. Copies of these statements are included in the committee records.

House Bill No. 458 by Representative DuBuisson

Representative DuBuisson presented House Bill No. 458, which provides relative to cosmetology licensure fees.

Ryan Haynie, Aveda, P.O. Box 44052 Baton Rouge, LA 70804, (225) 336-4143, spoke in support of House Bill No. 458.

Sheri Morris, Louisiana State Board of Cosmetology, 8900 Bluebonnet Blvd., Baton Rouge, LA 70810, (225) 421-4860, spoke for information only on House Bill No. 458.

Representative Newell offered amendments to:

- (1) Provide that the price for renewal of certificate of registration for a school is \$165 for both residents and non-residents.
- (2) Remove proposed law that removes board members from being paid per diem of \$100 per member.
- (3) Make technical changes.

Representative Newell offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Goudeau, LaFleur, Newell, Pressly, St. Blanc, and Thomas voted yea.

Representative Goudeau offered a motion to report House Bill No. 458 with amendments. Without objection, House Bill No. 458 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Goudeau, LaFleur, Newell, Pressly, 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.

House Bill No. 546 by Representative Pressly

Representative Pressly presented House Bill No. 546, which provides relative to professional engineers.

Patrick Caraway, Fibrebound, 1300 Davenport Dr., Minden, LA 71055, (318) 349-5335, spoke in support of House Bill No. 546.

Donna Sentell, Louisiana Professional Engineering and Land Surveying Board (LAPELS), 9643 Brookline Ave., Baton Rouge, LA 70809, (225) 925-6291, spoke for information only on House Bill No. 546.

Scott Landry, LAPELS, 8550 United Plaza Blvd., Ste. 103, Baton Rouge, LA 70809, (225) 922-4300, spoke in support for information only on House Bill No. 546.

Representative Hilferty in the chair.

Barker Dirmann, American Council of Engineering Companies of Louisiana (ACEC), 9643 Brookline Dr., Baton Rouge, LA 70809, (985) 630-7696, spoke in opposition to House Bill No. 546.

Miles Williams, Louisiana Engineering Society, 9643 Brookline Ave., Ste. 116, Baton Rouge, LA 70809, (225) 938-1529 spoke in opposition to House Bill No. 546.

Representative Pressly offered a motion to report House Bill No. 546 favorably and withdrew his motion after further discussion. No vote was taken.

Representative Pressly offered a motion to voluntarily defer action on House Bill No. 546. Without objection, action on House Bill No. 546 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Goudeau, Hilferty, Hollis, Jordan, LaFleur, Newell, Pressly, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 6 in opposition. Witness cards are included in the committee records.

Statements submitted in lieu of appearing before the committee are as follows: 2 in opposition. Copies of these statements are included in the committee record.

Representative Davis in the chair.

House Bill No. 334 by Representative Phelps

Representative Phelps presented House Bill No. 334, which provides relative to private insurance for certain deposits and shares.

Representative Jordan offered an amendment to make technical changes. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Hilferty, Hollis, Jordan, LaFleur, Newell, St. Blanc, and Thomas voted yea.

Representative Jordan offered a motion to report House Bill No. 334 with amendments. Without objection, House Bill No. 334 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Hilferty, Hollis, Jordan, LaFleur, Newell, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 248 by Representative McMahan

Representative McMahan presented House Bill No. 248, which provides for the burial of pet remains with human remains.

Representative Davis offered amendments to:

- (1) Clarify when pet remains may be interred.
- (2) Add that all pet remains must be cremated and stored in a closed receptacle.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Hilferty, Jordan, LaFleur, Newell, St. Blanc, and Thomas voted yea.

Representative Davis offered amendments to:

- (1) Add that all pet remains must be cremated and stored in a closed receptacle.
- (2) Remove language that specifies that a pet owner may not euthanize his pet for the sole purpose of interring the pet remains with the owner at the time of death.
- (3) Add that pet remains shall be considered personal property and treated as such by a cemetery authority.
- (4) Make technical changes.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Hilferty, Jordan, LaFleur, Newell, St. Blanc, and Thomas voted yea.

Jerry Sullivan, Louisiana Cemetery Board (LCB), 3444 N. CSWY., Ste. 509, Metairie, LA 70002, (504) 838-5267, spoke for information only on House Bill No. 248.

Boyd Mothe, Louisiana Cemetery Association (LCA), P.O. Box 6147, New Orleans, LA 70174, (504) 650-1556, spoke in opposition to House Bill No. 248.

Daniel Ranson, LCA, 401 Whitney Ave., Ste. 500, Gretna, LA 70056, (504) 362-2466, spoke in opposition to House Bill 248.

Ryan Seiderman, Louisiana Cemetery Response Task Force, 1885 N. Third St., Baton Rouge, LA 70802, (225) 326-6056, spoke for information only on House Bill No. 248.

Representative Davis offered a motion to report House Bill No. 248 with amendments. Without objection, House Bill No. 248 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Green, Hilferty, Jordan, McKnight, Pressly, St. Blanc, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in opposition and 2 for information only. Witness cards are included in the committee records.

Statements submitted in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 554 by Representative Riser

Representative Riser presented House Bill No. 554, which provides relative to the cemetery care fund and provided a handout, Exhibit B, which is included in the committee records.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Green, Hilferty, Jordan, McKnight, Pressly, St. Blanc, and Thomas voted yea.

Representative Davis offered amendments to:

- (1) Add that a trustee of a perpetual care trust fund may elect to use the total return distribution method for trusts established in accordance with present law (R.S. 8:457).
- (2) Revise definitions in proposed law.
- (3) Make technical changes.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Cox, Fisher, Fontenot, Green, Jordan, LaFleur, McKnight, Pressly, and St. Blanc voted yea.

Representative Green offered a motion to report House Bill No. 554 with amendments. Without objection, House Bill No. 554 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Davis, Cox, Fisher, Fontenot, Goudeau, Green, Hilferty, Jordan, McKnight, Newell, Pressly, and St. Blanc voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 3 for information only. Witness cards are included in the committee records.

Statements submitted in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 593 by Representative Riser

Representative Riser presented House Bill No. 593, which provides relative to cemeteries.

Representative Davis offered amendments to make technical changes. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Davis, Cox, Fisher, Fontenot, Goudeau, Green, Jordan, LaFleur, Newell, Pressly, and St. Blanc voted yea.

Daniel Ranson, LCA, 401 Whitney Ave., Ste. 500, Gretna, LA 70056, (504) 362-2466, spoke in opposition to House Bill 593.

Representative Davis offered amendments to:

- (1) Remove proposed law relating to the merger of trust funds.
- (2) Make technical changes.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Fontenot, Hilferty, Jordan, LaFleur, Newell, Pressly, and St. Blanc voted yea.

Representative Davis offered amendments to:

- (1) Add that the board shall be responsible for reasonable costs, legal and accounting fees, and expenses if the board fails to prove that a cemetery authority was not in compliance.
- (2) Add that the board shall be responsible for reasonable costs, legal and accounting fees, and expenses if the board fails to prove that due to a violation, certain care funds were in danger of being lost or dissipated.
- (3) Add that any requests for access to records that an entity objects to as unreasonable, irrelevant, arbitrary, or capricious, shall be produced only after objections are ruled on by the board.
- (4) Make technical changes.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Cox, Fisher, Fontenot, Jordan, LaFleur, Newell, Pressly, and St. Blanc voted yea.

Representative Newell offered a motion to invoke the two-minute rule, no vote was taken.

Ryan Seidemann, Louisiana Department of Justice, 1885 N. Third St., Baton Rouge, LA 70802, (225) 326-6035, spoke in support of House Bill No. 593.

Jerry Sullivan, LCB, 3445 N. CSWY., Ste. 509, Metairie, LA 70002, (504) 838-5267, spoke for information only on House Bill No. 593.

Gerald Melancon, LCB, 4117 N. University Ave., Carencro, LA 70502, (337) 288-7090, spoke for information only on House Bill No. 593.

Representative Newell offered a motion to report House Bill No. 593 with amendments. Without objection, House Bill No. 593 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Davis, Brown, Fontenot, Hilferty, LaFleur, Newell, Pressly, St. Blanc, and Thomas 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.

Statements submitted in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 547 by Representative Riser

Representative Riser presented House Bill No. 547, which provides relative to catalytic converter sales law.

Representative Hilferty in the chair.

Representative Hilferty offered amendments to make technical changes. Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Brown, Fisher, Hilferty, LaFleur, McKnight, Newell, Pressly, and St. Blanc voted yea.

Sheri Morris, Louisiana Used Motor Vehicle Commission, 8900 Bluebonnet Blvd., Baton Rouge, LA 70810, (225) 421-1800, spoke for information only on House Bill No. 547.

Representative Hilferty offered a motion to report House Bill No. 547 with amendments. Without objection, House Bill No. 547 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Davis, Brown, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, St. Blanc, and Thomas voted yea.

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

House Bill No. 342 by Representative Gevmann

Representative Hilferty announced that action on House Bill No. 342, which provides relative to licensed home contractors, was voluntarily deferred.

House Bill No. 567 by Representative St. Blanc

Representative Hilferty announced that action on House Bill No. 567, which provides relative to gross vehicle weight for certain vehicles transporting specified construction materials, was voluntarily deferred.

House Bill No. 302 by Representative St. Blanc

Representative St. Blanc presented House Bill No. 302, which provides relative to cemetery trust funds.

Representative Hilferty offered amendments to make technical changes. Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Brown, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, and Thomas voted yea.

Debbie Holmes, Argent Trust Company, 500 E. Reynolds Dr., Ruston, LA 71270, (318) 548-6648, spoke for information only on House Bill No. 302.

Representative Hilferty offered amendments to:

- (1) Remove proposed law that provides for a master perpetual care trust fund.
- (2) Restore the present law requirement for a master trust fund.
- (3) Remove proposed law that outlines the requirements for a trustee establishing a preneed cemetery merchandise and services trust fund. Remove proposed law that provides for requirements that a master preneed cemetery merchandise and services trust fund shall be subject to. Remove proposed law that outlines preneed cemetery contracts.
- (4) Make technical changes.

Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Davis, Brown, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, and Thomas voted yea.

Representative Hilferty offered a motion to report House Bill No. 302 with amendments. Without objection, House Bill No. 302 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Davis, Brown, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, and Thomas voted yea.

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

Statements submitted in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 292 by Representative St. Blanc

Representative St. Blanc presented House Bill No. 292, which provides relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law.

Representative Hilferty offered amendments to make technical changes. Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Brown, Cox, Goudeau, Hilferty, LaFleur, McKnight, Newell, Pressly, and Thomas voted yea.

Emory Belton, Dig Law Advisory Commission, 10602 Hillbrook Ave., Baton Rouge, LA 70810, (225) 615-0212, spoke in support of House Bill No. 292.

Representative Thomas offered amendments to:

- (1) Add that excavation or demolition activities shall commence not more than 120 hours past the mark-by-time.
- (2) Add that precautions, such as potting of holes, must be taken to determine the actual location of facilities or utilities that can be damaged. Add that for forestry excavation operations that could result in damage to utilities, a forestry excavator and utility or facility owner shall cooperate to determine the location of such utilities.
- (3) Make technical changes.

Representative Thomas offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Brown, Cox, Goudeau, Hilferty, LaFleur, McKnight, Newell, St. Blanc, and Thomas voted yea.

Representative Newell offered a motion to report House Bill No. 292 with amendments. Without objection, House Bill No. 292 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Brown, Cox, Goudeau, Hilferty, LaFleur, McKnight, Newell, St. Blanc, and Thomas voted yea.

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

House Bill No. 515 by Representative Carrier

Representative Hilferty announced that action on House Bill No. 515, which provides relative to certain cemetery charges, was voluntarily deferred.

House Bill No. 333 by Representative Pressly

Representative Pressly presented House Bill No. 333, which provides relative to exemptions to the licensing of architects.

Dale Clary, American Institute of Architects Louisiana (AIA), 1800 City Farm Dr., Bldg 6, Baton Rouge, LA 70806, (225) 922-5110, spoke in support of House Bill No. 333.

Kathleen Gordon, AIA, 521 America St., Baton Rouge, LA 70791, (225) 387-5579, spoke in support of House Bill No. 333 and provided a poster board, Exhibit C, which is included in the committee records.



Exhibit C submitted by Kathleen Gordon for House Bill No. 333, located in the file room on the 9th floor in room 909.

Fritz Embaugh, Plus One Design and Construction, 1839 Carter Ave., Baton Rouge, LA 70806, (225) 383-0664, spoke in support of House Bill No. 333.

Barker Dirmann, American Council of Engineers of Louisiana, 9643 Brookline Ave., Baton Rouge, LA 70809, (985) 630-4696, spoke in opposition to House Bill No. 333.

Alan Krouse, Louisiana Engineer Society, 7638 Ernest Floyd Rd., Gonzales, LA 70737, (225) 647-4998, spoke in opposition to House Bill No. 333.

David Marcase, Louisiana Municipal Association, 6767 Perkins Rd., Baton Rouge, LA 70808, (225) 344-5001, spoke in opposition to House Bill No. 333.

Representative Hilferty offered amendments to make technical changes. Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Brown, Cox, Fontenot, Green, Hilferty, LaFleur, Newell, Pressly, and Thomas voted yea.

Representative Pressly offered a motion to voluntarily defer action on House Bill No. 333. Without objection, action on House Bill No. 333 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Brown, Cox, Fontenot, Green, Hilferty, LaFleur, Newell, Pressly, and Thomas voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Cox offered a motion to adjourn. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Brown, Cox, Fontenot, Green, Hilferty, LaFleur, Newell, Pressly, St. Blanc, and Thomas voted yea.

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Chairman Paula P. Davis
House Committee on Commerce

Date adopted: