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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
JUNE 19, 2023
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

MR. RICHARD WATTS

4

5 COMMISSIONERS PRESENT:

MR. JEFFEREY BRITT

6

MR. RICKY DONNELL

7

MR. GEORGE FLOYD

8

MR. ROBERT "BOBBY" HINES

9

MR. MATTHEW PEDERSON

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REPRESENTING THE LOUISIANA USED MOTOR

15

VEHICLE COMMISSION:

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ROBERT W. HALLACK, ESQUIRE
HALLACK LAW OFFICE
13007 JUSTICE AVENUE
BATON ROUGE, LOUISIANA 70816

18

19

SHERI MORRIS, ESQUIRE
DAIGLE, FISSÉ & KESSENICH, PLC
8480 BLUEBONNET BOULEVARD, SUITE F
BATON ROUGE, LOUISIANA 70810

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1 ALSO PRESENT:

2 MS. KIM BARON

3 MR. DEREK PARNELL

4 MS. TONYA BURKS

5 MR. ROY HEBERT

6 MR. DREW KRAUS

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1 MS. BARON:

2 Ricky Donnell?

3 MR. DONNELL:

4 Here.

5 MS. BARON:

6 Travis Brown?

7 MR. BROWN:

8 (No response.)

9 MS. BARON:

10 Robert Hines?

11 MR. HINES:

12 Here.

13 MS. BARON:

14 And Wydette Williams?

15 MR. WILLIAMS:

16 (No response.)

17 MS. BARON:

18 Mr. Chairman, we have a quorum.

19 MR. WATTS:

20 All right. Any public comments?

21 MS. BARON:

22 We have no public comments.

23 MR. PARNELL:

24 We don't have public comments, but I
25 did want to make a request to make an amendment

1 on the agenda. The compliance investigator
2 report, he is unable to attend today. So we
3 can delete that from the agenda.

4 MR. WATTS:

5 I need an adoption and approval of
6 the minutes of the May 23rd meeting.

7 MR. BRITT:

8 I make a motion.

9 MR. WATTS:

10 Any second?

11 MR. PEDERSON:

12 Second.

13 MR. WATTS:

14 Second by Mr. Pederson.

15 All right. Items for discussion,
16 financial matters.

17 MR. PARNELL:

18 I will get started. Estimated fiscal
19 ending 6/30/2023 and fiscal year 2023-2024
20 proposed budget.

21 First and foremost, I would like to
22 thank Roy Hebert, our contract CPA, who worked
23 with me to get the budget prepared. In
24 addition, I would like to thank Rhonda
25 Robertson for working hard to get the

1 commission finances caught up so that we can
2 have a budget to work on.

3 Commissioners, you will find in your
4 packet, agenda -- you will find in your agenda
5 packet the estimated fiscal year ending
6 6/30/2023 and the fiscal year 2023-2024
7 proposed budget. You will notice that the
8 budget spreadsheets are in a different format
9 than what we have done in the previous years.
10 Roy Hebert suggested that we need a format that
11 he uses with other client agencies. The
12 spreadsheet is much more concise than we have
13 used in other years. The spreadsheet includes
14 actual fiscal year ending 6/30/20, 6/30/21,
15 6/30/22. It also has a three-year average on
16 it. The estimated fiscal year 6/30/23 and the
17 proposed '23 and '24 proposed budget numbers.

18 I have had the discussion. I got a
19 call this morning that our finance chairman,
20 Travis Brown, would be unable to attend today,
21 but he and I had a discussion last week. He
22 advised he liked the format of the budget much
23 better. In addition, he wanted to go through
24 some areas that he had some concerns about.

25 I don't know. Did you have anything

1 that you wanted to say at this point?

2 MR. HEBERT:

3 I have not looked at the year-to-year
4 financial statement for Commission. I've just
5 gotten calls periodically about different
6 accountant matters rather than going through
7 the whole Commission. And it appears the way
8 the districts are broken, we are in a cycle we
9 are going to have a deficit one year and a
10 surplus the following year because of the
11 numbers of licensees that are in the two
12 batches that renew their two-year licenses.
13 And that's the only remarkable comment that I
14 would have.

15 Derek and I went pretty much line by
16 line over the budget and developed the '23-'24
17 numbers.

18 MR. PARNELL:

19 A few areas that Commissioner Travis
20 Brown wanted me to kind of go through with you
21 guys. If you look at the revenues on the first
22 line, UD licenses. Fiscal year '20, our actual
23 fiscal ending balance as \$473,623. Fiscal year
24 '21 was \$260,000. That primarily was because
25 during that COVID year for two years, agencies

1 were prevented from collecting any fees on any
2 other -- any entities that are coming in to try
3 to renew their licenses. If you noticed in the
4 fiscal year, 2022, we jumped to \$650,000. That
5 is primarily because -- because we didn't
6 collect the fees, we were able to collect them
7 that next year and so. But I like -- what I
8 like a lot about this budget format is that we
9 get a three-year average from those three
10 years. You really kind of see where we have
11 fallen in those three years. And you look at
12 the line, the third from the right, the
13 original budget for the 2022-'23 budget was
14 \$485,000. So the budget basically shows that
15 we were down from the original budget
16 projections on license fees by, like, \$32,000.
17 We went ahead and we looked at the '23-'24
18 proposed budget and it came in at \$475,000 for
19 the proposed for the budget for this year.

20 Next item was the automotive
21 dismantlers. We are down 22,000 from the
22 original budget. It was projected at 48,000.
23 So we projected -- the new proposed budget is
24 48,000.

25 If we go down to auction transaction

1 fees, that was a section that we were positive
2 \$72,000. The original budget for '22 was
3 \$364,000. And it shows on this estimated
4 remaining for our estimated was about \$100,000
5 that we were looking to get before the end of
6 this year closed. But during the months of May
7 and June, we did receive 57,000 in fees. The
8 auction transaction fees, that's pretty much
9 the salvage pool. Every month they send our
10 agency what sales they have had, \$5 per car. I
11 think that was what was the deal that happened
12 because of the Legislature when we got rid of
13 the buyers' card. And I think after the
14 buyers' card was done away with, that's when we
15 would get a fee of \$5 per vehicle every month
16 from whatever sales they did for auction
17 transaction fees. So that was up \$72,000. The
18 proposed budget was \$445,000.

19 Another area on the second page with
20 expenses and salaries times the field. It kind
21 of illustrated that we were down negative
22 \$62,000. The original budget for '22-'23 was
23 \$214,000. The three-year average was \$242,000.
24 The estimated fiscal year ending in '23 was
25 \$270,000 -- 276,000.

1 I think at that point, we budgeted it
2 too low. The only change in our field salaries
3 was cost of living increase and salary for the
4 compliance investigator supervisor. If you
5 look in the back of your packet -- in the back
6 pocket, yes. There should be a listing of the
7 entire staff. All of the titles and position
8 and the salaries of the entire staff.

9 If you look down to Montie Wisenor,
10 Compliance Investigator 4-B, that's the
11 supervisor position. That was the only change
12 that took place over the time. As well as I
13 hired a full staff in the accounting -- I mean,
14 the licensing department which falls under
15 Tonya Burks as the program manager of the four
16 positions that we -- three of them are here and
17 one comes tomorrow. So we will be fully
18 staffed in the licensing department.

19 I still have a vacant position, the
20 accounting professional. That's what I am
21 working on right now drafting the job
22 description and detail job description that
23 Civil Service is looking for to give me the
24 approval to classify it, but I wanted that to
25 reflect on the budget what we are looking at

1 doing so the commissioners would have the
2 breakdown of everyone's salaries and where each
3 person on staff falls.

4 With that said, the original -- the
5 '22-'23 original budget, it was presented with
6 a negative \$592,000 but the estimated fiscal
7 year ending in '23, that this year the
8 Commission will end in a positive 310,000. If
9 you go back to your chart, you will see that on
10 the third page all of the way at the bottom.
11 We will end this year with a net positive.

12 MR. PEDERSON:

13 Good job.

14 MR. PARNELL:

15 So with that said, I ask if you have
16 any questions or comments, concerns, or we will
17 go ahead and move to approve the '23-'24
18 proposed budget.

19 MR. WATTS:

20 Derek, explain to us about the fines
21 we don't collect. We fine these people and it
22 goes against the bond. Can you talk about
23 that? Wipe the slate clean. I am trying to
24 get it off of our statement.

25 MR. PARNELL:

1 So a lot of -- for example, when we
2 have -- we do fine in two separate ways. When
3 I first came on, I kind of went through a lot
4 of hearings that we had why exactly how much
5 and making a note listing exactly how much
6 fines per count was charged. And the Board
7 gave me authority to go ahead and deal with --
8 they didn't want to deal with every single
9 person or every fine that comes into the
10 agency. So what we did was we created a
11 spreadsheet where a lot of smaller fines,
12 smaller problems, dealers that are causing less
13 egregious problems, we will go in and fine them
14 at our level. We will send it out and then it
15 comes back.

16 But the bigger issue, sometimes we
17 run into is when we have hearings and we do
18 large fines, 200-, \$300,000. We have one
19 that's out there right now. We fined \$250,000
20 but this individual is very rare because he's
21 the only one that has ever every month come in
22 and paid on that. He has actually paid half of
23 that fine down.

24 Typically, whenever we fine someone
25 \$250,000, our bond is only \$50,000. And the

1 problem that we have run into the last 4 or 5
2 years -- and I think that is something
3 legislatively we have to look at moving
4 forward -- is get that bond to increase back to
5 where our agency can actually collect \$50,000
6 out of the bond. It is currently \$50,000 bond
7 and we can only collect \$25,000 out of that.
8 So when we have fines that are \$200,000, our
9 books have to reflect that \$200,000, is owed
10 basically to the agency. And a lot of that is
11 not collectible for us.

12 When we go through the State, they go
13 after certain individuals but they really
14 haven't done a lot in relation to collections
15 of outstanding fines.

16 MR. HINES:

17 How long has it been the \$50,000
18 bond?

19 MR. PARNELL:

20 The bond has been -- when was that?

21 MR. HALLACK:

22 Probably 2017.

23 MR. HINES:

24 Is it time to raise that amount?

25 MS. MORRIS:

1 There was an attempt to raise at one
2 time and it didn't pass the Legislature.

3 MR. PARNELL:

4 I think initially when I came
5 onboard, we tried to get the bond raised and it
6 didn't go through. And then it was at 50, but
7 the issue is, you know, I think it was 2017 is
8 when you are referring to when the bond that we
9 can only collect 25,000 of the bond. I think
10 the thought process behind it was that if we
11 have restitution, consumers, and/or we have to
12 make payment to, say, Office of Motor Vehicles,
13 that there would be something left on the bond
14 for them to receive. But that's kind of hurt
15 the agency as a whole because we are not able
16 to collect that amount in between there, so.

17 MS. MORRIS:

18 That was the compromise to get the
19 \$50,000 bond because the bond was lower.

20 MR. DONNELL:

21 The bond was \$25,000.

22 MS. MORRIS:

23 The bond was \$25,000. It need to be
24 higher because we had had several cases that
25 involved 80 vehicles or, you know, high numbers

1 of vehicles. So that's not sufficient to pay
2 when the tax, title, and license hasn't been
3 paid.

4 MR. HINES:

5 That's what I am thinking. The price
6 of vehicles are so expensive now.

7 MS. MORRIS:

8 Right. So we went to the Legislature
9 to kind of get it -- it is kind of on a sliding
10 scale so the smaller dealers wouldn't have very
11 high bonds but the larger ones would have, you
12 know, sliding scale by a number of vehicles.
13 And, in that process, it was brought up that
14 sometimes the agency is getting the full
15 \$25,000 because their cost by the time you get
16 to a hearing and the appeal and all of that is
17 \$25,000 which leaves no money for restitution.

18 So that was kind of a compromise to
19 get it through the Legislature to get \$50,000
20 for some dealers, but part of the money had to
21 be reserved for restitution claims.

22 MR. HALLACK:

23 It's always been our policy that the
24 customer gets their money first. Right, Kim?

25 MS. BARON:

1 Yes.

2 MR. HALLACK:

3 Whether it is a claim for bond or
4 restitution, the customer always get their
5 money first.

6 MS. BARON:

7 A lot of times when you have a
8 hearing, you have a lot of people that are
9 having to go through the claims against surety
10 and get their title and stuff that way. But
11 then you also have people that have to go and
12 wait for the title so they can go pay their
13 tax, title, and license, and then they have
14 late penalties and interest. So they send in a
15 request and we have to reimburse that out of
16 the bond as well.

17 MR. BRITT:

18 Was that a single bill by itself? Or
19 did y'all try to tag on another?

20 MS. MORRIS:

21 I think we had multiple revisions,
22 but there was focus on the bond because some of
23 the dealers were not for it because of the cost
24 to them, that that's why kind of compromised to
25 a \$50,000 cap which is still insufficient for

1 the cases that we were looking at. We had kind
2 of several cases that by the time the
3 Commission knew about it, there are some
4 vehicles involved that people don't have the
5 titles to that.

6 MR. BRITT:

7 So this is really probably something
8 we should look at last year and probably
9 regroup or run it back this last session
10 probably. I wonder if it is something we can
11 tag it on with next session.

12 MS. MORRIS:

13 We can look at that. Cases that we
14 have had, and look at what our costs have been
15 and what was left on the bond or something like
16 that. Maybe we can use some historical data.
17 In the beginning, we didn't have a lot of
18 historical data to work with. We just didn't.
19 I don't know if we had some of those very large
20 cases. I don't think we had a lot of
21 historical data to be able to look at what the
22 claims were and what the bond covered and how
23 many other people -- other potential people --

24 MR. BRITT:

25 We got out of that now.

1 MS. MORRIS:

2 We have better data now.

3 MR. BRITT:

4 We can regroup.

5 MR. PARNELL:

6 It is definitely something during the
7 next legislative session we need to address.
8 Definitely in my opinion, we need to address
9 that.

10 MS. MORRIS:

11 Some of the hearings have been very
12 costly with delays and different parties
13 involved. When you have that many vehicles you
14 have financing companies, you have related
15 bankruptcies. I don't know, Robert can give
16 you a longer list. But there are some other
17 related federal litigation, bankruptcies. We
18 have had cases where there has been a whole lot
19 of related litigation.

20 MR. HALLACK:

21 And I don't keep up the Attorney
22 General's efforts to collect for us, but, I
23 mean, we have got several large verdicts out
24 there.

25 MR. PARNELL:

1 It is not what you think.

2 MR. HALLACK:

3 It is not existent.

4 MR. PARNELL:

5 It is not like we thought it was when
6 it was suggested to us that the Attorney
7 General was the way to having to force to
8 actually get some collections on some of those
9 fines. It is so small, I mean.

10 MS. MORRIS:

11 We might want to look at the Office
12 of Debt Collection because we were with the
13 Attorney General's Office before the Office of
14 Debt Collection was formed. And we had the
15 option to switch over, but we stayed the
16 Attorney General because the Office of Debt
17 Collection was new and they didn't have -- you
18 know, when they presented to us, I don't think
19 that they really knew exactly how they were
20 going to do things. They do have the ability
21 to freeze certain accounts, seize certain
22 accounts that we wouldn't have if we did the
23 collection process in-house.

24 So the Office of Debt Recovery has
25 even around for a while so maybe we need to

1 look at that option.

2 MR. BRITT:

3 Sheri, we do have an option to do it
4 ourselves.

5 MS. MORRIS:

6 We did before. It wasn't cost
7 effective when I looked at it, because in order
8 to seize people's accounts, the amount of work
9 that's necessary to do that and then the office
10 of the -- the Attorney General's Office and the
11 Office of Debt Recovery have the ability to
12 seize accounts that we probably couldn't even
13 get information about.

14 MR. BRITT:

15 We might need to look into the Office
16 of Debt Collection.

17 MS. MORRIS:

18 It might be. I think when we met
19 with them, they weren't really set up. We
20 already had a contract with the Attorney
21 General's Office so we may be able to switch
22 over.

23 MR. BRITT:

24 We need something more aggressive.
25 Whether we contract you two out to do it some

1 more out of y'all's office or have a point
2 person here, it needs to be more aggressive. I
3 mean, ever since I have been on here, I mean,
4 the Attorney General's Office has just not done
5 much to me.

6 MS. MORRIS:

7 One of the issues is that a lot of
8 the entities are LLCs and they don't have any
9 assets. So it not easy collection work. When
10 I looked at it, there were complications
11 because of the way the businesses are sometimes
12 set up.

13 MR. HALLACK:

14 But we always go against the dealer
15 individually, too, for that very reason. So
16 they can't run away from their liability.

17 MS. MORRIS:

18 Right. And once the bond is
19 exhausted, also the bond company is going after
20 them as well.

21 MR. HALLACK:

22 Do they really, though?

23 MS. MORRIS:

24 They say they do. I don't know.

25 MR. HALLACK:

1 I don't think they have.

2 MS. BARON:

3 Because I have had people get another
4 bond and they wouldn't be able to.

5 MR. WATTS:

6 So that number on our statement is a
7 false statement really for dollar-wise. It
8 goes into our liabilities and total liabilities
9 for your financials, you know. We never are
10 going to collect it. Most of it. Matamoros is
11 the only one paying. He ought to get a
12 discount. That's the only one that I know that
13 paid their fine.

14 MR. PARNELL:

15 He comes every month. Out of the
16 \$250,000 fine, he's already paid half.

17 Another area on our expenses,
18 salaries, and benefits, and I wanted Roy
19 feasibly to go ahead and just kind of explain,
20 like, the net pension liability and OPEB
21 liability that's out there for our agency.
22 Before, as I understand it, the net pension
23 liability wasn't something that had to be shown
24 on the financial for state agencies. Am I
25 correct? I may be wrong, but if you can kind

1 of explain that to the board, please, the net
2 pension.

3 MR. HEBERT:

4 The net pension liabilities, it is
5 smoke and mirrors. I mean, the State has that
6 liability. The Commission is never going to
7 have somebody present an invoice and ask you to
8 pay it. Under the Governmental Accounting
9 Standards Board, which is the accounting gods
10 as far as governmental entities are concerned,
11 have mandated that if you want to be in
12 compliance with these standards, these things
13 have to be booked on your financial statements.
14 It is not something the Commission is
15 responsible for. I mean, what you can control
16 are your -- well, to some extent, you really
17 can't control it very much -- is actually the
18 retirement that you pay and the actual group
19 benefits that you pay rather than these numbers
20 that are forced for CPAs to calculate and put
21 on your financial statements to keep them in
22 compliance with governmental auditing
23 standards.

24 But, you know, I met with funding
25 pension benefit financial advisors and asked

1 when we first came out with different stuff,
2 how much attention do they pay for those
3 numbers on governmental financial statements,
4 and he and we don't. We don't.

5 And so government is going to
6 actually fund the liabilities; they are just
7 going to be there.

8 MR. PARNELL:

9 And on our books, that pension
10 liability is about 2.2 million.

11 MR. BRITT:

12 When they did that about five years
13 ago?

14 MR. HEBERT:

15 The pension came first and that's
16 probably what, seven, eight years?

17 MR. KRAUS:

18 That's about right.

19 MR. BRITT:

20 What that does, Derek, is the little
21 municipality or if it is us or the sheriff's
22 office, whomever, you see these numbers and
23 when you first look at them you say, oh, my
24 God, you know. Especially when you get to
25 local politics and they say, oh, that mayor,

1 that sheriff, that clerk, look at what they
2 have got, they are running a deficit. Well,
3 every agency in the state is going to run a
4 deficit if you look at on what their retirement
5 is going to be. And it's just magic. It is
6 just the numbers and there's nothing that you
7 can do except try to understand it.

8 MR. HEBERT:

9 And the only way you can remove those
10 liabilities is to actually fund it. And if you
11 fund it, you are putting money in a trust fund
12 that you cannot get back out, so.

13 MR. BRITT:

14 There is not an agency in the state
15 that can probably do that.

16 MR. HEBERT:

17 Probably not.

18 MR. WATTS:

19 Anybody got any questions on the
20 budget? Everybody good.

21 I need an adoption to approve.

22 MR. DONNELL:

23 So moved.

24 MR. BRITT:

25 Second.

1 MR. WATTS:

2 Items for discussion and action.

3 MR. PARNELL:

4 We also need a resolution adopting
5 the fiscal year operating budget that was just
6 approved '23-'24.

7 Kim, do you want to read it?

8 MS. BARON:

9 You want me to read it?

10 MR. PARNELL:

11 Yes.

12 MS. BARON:

13 Louisiana Used Motor Vehicle
14 Commission, Resolution Adopting the 2023-2024
15 Fiscal Year Operating Budget.

16 Whereas, in order to receive approval
17 of its proposed operating budget for the fiscal
18 year which begins July 1, 2023, and ends June
19 30, 2024, it is necessary for the Louisiana
20 Used Motor Vehicle Commission to adopt a
21 proposed budget based upon anticipated revenues
22 and expenditures; and whereas, the Commission,
23 which operates solely on self-generated funds
24 receives no state-generated funds; therefore,
25 Be It Resolved, that the attached detailed

1 estimate of revenues for the fiscal year
2 beginning July 1, 2023, and ending June 30,
3 2024, be and the same is hereby adopted to
4 serve as an Opening Budget of Revenues for the
5 Commission; and therefore, be it further
6 resolved, that the attached detailed estimate
7 of expenditures for the fiscal year beginning
8 July 1, 2023, and ending June 30, 2024, be and
9 the same is hereby adopted to serve as an
10 operating budget of expenditures for the
11 Commission; and therefore, be it further
12 resolved, that the adoption of this budget of
13 expenditures be and the same is hereby declared
14 to operate as an appropriation of the amount
15 therein and set forth within the terms of the
16 budget classifications; and therefore, be it
17 further resolved, the funds available for
18 operating expenditures are available only to
19 the extent such funds are included within the
20 fiscal year of the 2023-2024 budget; and
21 therefore, be it further resolved, that the
22 Commission's Executive Director may authorize
23 transfers between line items of expenditures
24 with a function or department, provided such
25 transfers shall not exceed 10 percent of the

1 total budget for the department or function.
2 All other budget adjustments must be approved
3 by the Commission.

4 The foregoing resolution with the
5 attached budget for 2023-2024 fiscal year was
6 duly adopted on the 19th day of June 2023.

7 And it calls for the Commission
8 chairman's signature.

9 MR. WATTS:

10 Thank you very much. At this time I
11 don't think we need the accountants anymore.

12 MR. PARNELL:

13 I brought in Drew just in case any
14 commissioners had any further questions as it
15 related to the audit that we had the other day.

16 Gentlemen, I do appreciate it.

17 MR. WATTS:

18 Thank y'all very much.

19 Revocation of imposed penalties.

20 MR. PARNELL:

21 Commissioners, you will find in your
22 packet that illustrates the licenses that were
23 in violation of state law. These cases have
24 been investigated and I have determined that
25 the public interest can be served without

1 further administrative proceeding; thus, civil
2 penalties were imposed. I will announce the
3 name of the dealers that have been imposed
4 civil penalties.

5 Do we have anyone here representing
6 any of those dealers?

7 MS. BARON:

8 No, sir.

9 MR. PARNELL:

10 Anthony's Auto Sales, LLC, from New
11 Iberia, Louisiana. Violation was failing to
12 maintain records. Fine amount was \$500. This
13 was a complaint that was given to us by
14 Louisiana State Police. Our investigator went
15 out and he had 275 temp tags that he couldn't
16 account for. He wasn't putting those items in
17 the state database. State police reached out
18 to Travis Gallo, our compliance investigator,
19 and advised him that that was not happening.
20 So he and Montie went out and did an
21 investigation on him. He just -- he had no
22 record of some of these items. The fine that
23 was issued to him was \$500.

24 Backyard Rides, LLC, from Metairie,
25 Louisiana, fine amount was \$450 for employing

1 unlicensed salesperson and not operating from
2 the place of business shown on his license. He
3 was actually having persons go to the Racetrac
4 gas station and selling vehicles from there. I
5 fined him \$450.

6 So, Commissioners, I ask that you
7 approve the \$950 fines that have been imposed.

8 MR. WATTS:

9 I need a motion.

10 MR. DONNELL:

11 So moved.

12 MR. BRITT:

13 Second.

14 MR. WATTS:

15 Legal matters. Federal Mutual
16 Insurance Company versus H and N Auto Sales,
17 LLC.

18 MS. MORRIS:

19 There is an update. It was
20 transferred to East Baton Rouge Parish. It is
21 being handled by the Attorney General's office.

22 MR. WATTS:

23 How about the next one?

24 MR. HALLACK:

25 She never made an application. She

1 never re-applied to be a dealer. So she asked
2 for her money -- her application money to be
3 refunded and we did that. And we never heard
4 any more from her. So she made no effort to
5 re-apply.

6 MS. MORRIS:

7 Didn't she appeal?

8 MR. HALLACK:

9 She did. But nothing has happened.

10 MR. WATTS:

11 All right. Compliance investigator
12 report.

13 MR. PARNELL:

14 I asked about that earlier. We
15 delete that.

16 MR. WATTS:

17 That's what we deleted, okay. Put it
18 on next month's agenda.

19 MR. PARNELL:

20 We would add it to the next month's
21 agenda.

22 MR. WATTS:

23 All right. Executive report.

24 MR. PARNELL:

25 The main thing was getting the budget

1 completely getting caught up. Like I said
2 before, we were probably about eight months
3 behind on the financials and Rhonda did a great
4 job with catching us up with that. That was
5 not a small task to do. Just coming in when
6 she did come in and I am still working at
7 restructuring that accounting department. I am
8 working on Civil Service. I finished drafting
9 the job description and the role that I see
10 that person in. That's why I did add it to the
11 budget. But I did finish that so I am just
12 working with them right now, Civil Service, and
13 I am trying to see what kind of approval I can
14 get moving forward with the unclassified,
15 classified, or what's necessarily on that. I
16 am working with them on it. What they always
17 suggest to me is I have to prove why -- if I
18 want an unclassified position, I have to prove
19 why I can't have that classified in Civil
20 Service first. So sometimes being that we are
21 a smaller agency, my thought process, it would
22 be granted easier for her than us because our
23 function was just as broad as a large agency,
24 but I don't have as many people doing separate
25 tasks. But they look at it just the opposite.

1 They are probably mad at me, but I think they
2 are going in my direction. So I feel really
3 good about.

4 The licensing department, like I said
5 before, we have fully staffed the licensing
6 department. Our last person that is starting
7 is going to be tomorrow. I know we talked
8 about with Commissioner Britt suggest that we
9 start a bit earlier this year in our renewal
10 period in mid-August. So that is what we are
11 gearing up to do this month. Finishing up
12 training a full month and then we get to go
13 straight into that.

14 Do I have any questions? That's
15 pretty much all that I have.

16 MR. WATTS:

17 Where is the licensing coming from?
18 What section?

19 MR. PARNELL:

20 4 and 5.

21 MR. WATTS:

22 Anybody have any questions for
23 executive director?

24 I did want to mention I was talking
25 to Derek, I am going to get the field

1 supervisor or whatever they call them, come in
2 once a year so we meet them all. Going there,
3 Montie, I just kind of like putting my eyes on
4 them.

5 MR. BRITT:

6 We see Montie and we see Monroe a lot
7 because of this area.

8 MR. PARNELL:

9 Usually what happens you will see
10 them primarily because when they have hearings
11 comes up. But he is suggesting that we have
12 everybody come in more periodically so you-all
13 can know them. Most of them you may know, but
14 a few I don't think.

15 MR. BRITT:

16 When I get a complaint, I call Montie
17 or I call Monroe. I just skip y'all and go to
18 them.

19 MR. PARNELL:

20 This fiscal year next month, we are
21 going to meet the field staff. I talked to
22 Montie about it already. I really want the
23 field staff to be much more progressive than
24 what they are doing. Not so much reactive.
25 Primarily to be more active. I want them to be

1 out there investigating.

2 MR. BRITT:

3 Do a little more proactive.

4 MR. PARNELL:

5 Much more proactive.

6 MR. BRITT:

7 It is just like running a sheriff's
8 office. You can't run a sheriff's office and
9 be reactive. You can lose track of everything.
10 And the more proactive you are, the more stuff
11 you are going to find. And then it is just
12 like we don't -- Richard and I talked about
13 this last week. We don't want them dumping
14 tickets on everybody, but we want them doing
15 their job and we want them to find the stuff.
16 And if you are proactive, you are going to find
17 more stuff, you know.

18 MR. WATTS:

19 Not waiting until people file
20 complaints.

21 MR. BRITT:

22 But that's a good word. Make them
23 proactive instead of reactive.

24 MR. PARNELL:

25 Absolutely.

1 MR. WATTS:

2 With that being said, the legislative
3 session.

4 MS. MORRIS:

5 Okay. The first item has Bill 53, it
6 is now Act 357. It was signed by the governor
7 and it's effective August 1. This is a little
8 bit of a cleanup. This was actually a bill of
9 the Office of Motor Vehicles to clean up some
10 things. But what it does is it relieves this
11 Commission from the requirement to file bond in
12 order to issue dealer plates. And so we were
13 having to procure that through the Office of
14 Risk Management. We won't have to procure
15 another bond.

16 Some other agencies were exempt, but
17 they didn't contemplate another state agency
18 issuing dealer plates when they drafted the
19 law. So it exempts state agencies as well.

20 House Bill 547 was the bill that we
21 requested and worked with Commissioner Brown
22 from early on. It was introduced by
23 Representative Neil Riser and Senator Womack
24 was on the Senate floor. It was to clean up
25 some things that were inconsistent with the law

1 regarding catalytic converters that the dealers
2 that are registered here. So now it's instead
3 of just being the catalytic converters sales
4 law, it is for both sides of the transfer; the
5 sale and the purchases are regulated under this
6 provision.

7 It had -- it's a lot of cleanup.
8 Also, we picked up all of the disciplinary
9 proceedings that are in our title, Title 32,
10 and we moved them to this title so that they
11 are -- I just copied them over. So it's the
12 same process that we use for disciplining these
13 dealers since we only had registered them last
14 year, we don't have any discipline cases, but
15 if we do, it is going to have the same process.

16 It also requires the dealers to
17 comply with the secondhand dealers law which is
18 a local registration with municipalities and
19 parishes because there really are secondhand
20 dealers. And so that also will get some legal
21 oversight to the local governments as to who
22 now are in their area doing this.

23 We did get some calls. It kind of
24 sailed through the House and then on the Senate
25 side we got some calls of people that were

1 concerned about vendors of catalytic converters
2 that kind of did them on an infrequent basis,
3 almost kind of like sounds like curbstoning to
4 me and what is going to happen to them.

5 Well, if they are not registered with
6 the local government and they don't pay taxes
7 and do all of the things they are supposed to
8 do, they are already in violation of other
9 laws. So we kind of looked at the law.
10 Commissioner Travis looked at it again to make
11 sure it wasn't having any unintended impact on
12 other licensees of this Commission or other
13 lawful businesses like repair shops or anything
14 like that. And so at some point, you really
15 can't structure the law to assist people that
16 are operating outside of the law because
17 that's -- because the whole thing is for
18 everybody to know who is dealing with used
19 catalytic converters.

20 So I think it's a big improvement
21 over what we had and it gives a little bit more
22 guidance to the commission as to who is
23 regulated. And, I guess, if we get some
24 disciplinary cases, the process is clear. That
25 it will be the same process that is in

1 Title 32.

2 We had the benefit of looking at some
3 other state laws that were in place this time.
4 The year before, Mississippi had a law that had
5 just been put in place but not really
6 implemented. So there were some other laws
7 that we looked at in California and some other
8 states that we looked up and had some good
9 ideas that weren't picked up.

10 MR. BRITT:

11 And our problem needs to be similar
12 to Mississippi and Arkansas and Texas. That
13 way you are dealing with the same people.

14 I never looked at Texas. Did y'all
15 look at a Texas?

16 MR. HALLACK:

17 We did, yes.

18 MS. MORRIS:

19 We looked around. I think we looked
20 at Arkansas, too. We were looking at some
21 things from Arkansas. So there are more states
22 that are regulating it now and hopefully that
23 will help us as well.

24 MR. BRITT:

25 Yes. We just need to be co-existing

1 with our neighbors because they are going to be
2 dealing with the same people that we are
3 dealing with.

4 MS. MORRIS:

5 Ours pretty much tracks Mississippi,
6 but Mississippi was one of the first laws, so.

7 MR. BRITT:

8 Yes. They were three years ahead of
9 us.

10 MR. WATTS:

11 Is this state by state?

12 MS. MORRIS:

13 Yes.

14 MR. WATTS:

15 It is not federal? The federal
16 government hasn't gotten involved in this yet?

17 MS. MORRIS:

18 No. But the number of catalytic
19 converter theft is still pretty high from all
20 of the reports that we have read.

21 MR. WATTS:

22 It hasn't deterred anybody yet?

23 MS. MORRIS:

24 I don't think it's made a noticeable
25 difference in the data yet.

1 MR. WATTS:

2 That being said, items for the next
3 agenda.

4 MR. HALLACK:

5 We will have a hearing next month, a
6 fairly big one.

7 MR. WATTS:

8 Anything else? Well, we are
9 adjourned.

10

11 (Meeting adjourned at 10:17 a.m.)

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REPORTER'S CERTIFICATE

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3 I, BETTY D. GLISSMAN, Certified Court

4 Reporter, Certificate No. 86150, in and for the

5 State of Louisiana, do hereby certify that the

6 Louisiana Used Motor Vehicle Commission June

7 16, 2023, meeting was reported by me in the

8 stenotype reporting method, was prepared and

9 transcribed by me or under my personal

10 direction and supervision, and is a true and

11 correct transcript to the best of my ability

12 and understanding.

13 This July 5, 2023, Baton Rouge, Louisiana.

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21 BETTY D. GLISSMAN, CCR

22 CERTIFIED COURT REPORTER

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<p>\$100,000 [1] - 10:4 \$200,000 [2] - 14:8, 14:9 \$214,000 [1] - 10:23 \$242,000 [1] - 10:23 \$25,000 [5] - 14:7, 15:21, 15:23, 16:15, 16:17 \$250,000 [3] - 13:19, 13:25, 23:16 \$260,000 [1] - 8:24 \$270,000 [1] - 10:25 \$300,000 [1] - 13:18 \$32,000 [1] - 9:16 \$364,000 [1] - 10:3 \$445,000 [1] - 10:18 \$450 [2] - 30:25, 31:5 \$473,623 [1] - 8:23 \$475,000 [1] - 9:18 \$485,000 [1] - 9:14 \$50,000 [7] - 13:25, 14:5, 14:6, 14:17, 15:19, 16:19, 17:25 \$500 [2] - 30:12, 30:23 \$592,000 [1] - 12:6 \$62,000 [1] - 10:22 \$650,000 [1] - 9:4 \$72,000 [2] - 10:2, 10:17 \$950 [1] - 31:7</p>	<p>2.2 [1] - 25:10 200 [1] - 13:18 2017 [2] - 14:22, 15:7 2022 [1] - 9:4 2022-'23 [1] - 9:13 2023 [7] - 1:14, 27:18, 28:2, 28:8, 29:6, 43:7, 43:13 2023-2024 [5] - 6:19, 7:6, 27:14, 28:20, 29:5 2024 [3] - 27:19, 28:3, 28:8 22,000 [1] - 9:21 23rd [1] - 6:6 25,000 [1] - 15:9 275 [1] - 30:15 276,000 [1] - 10:25</p>	<p>70810 [1] - 2:21 70816 [1] - 2:18</p>	<p>Adopting [1] - 27:14 adoption [3] - 6:5, 26:21, 28:12 advised [2] - 7:22, 30:19 advisors [1] - 24:25 agencies [5] - 7:11, 8:25, 23:24, 37:16, 37:19 agency [12] - 10:10, 13:10, 14:5, 14:10, 15:15, 16:14, 23:21, 26:3, 26:14, 33:21, 33:23, 37:17 agenda [7] - 6:1, 6:3, 7:4, 32:18, 32:21, 42:3 aggressive [2] - 21:24, 22:2 ago [1] - 25:13 ahead [5] - 9:17, 12:17, 13:7, 23:19, 41:8 Allegiance [1] - 4:3 almost [1] - 39:3 amendment [1] - 5:25 amount [6] - 14:24, 15:16, 21:8, 28:14, 30:12, 30:25 announce [1] - 30:2 Anthony's [1] - 30:10 anticipated [1] - 27:21 appeal [2] - 16:16, 32:7 APPEARANCES [1] - 2:1 application [2] - 31:25, 32:2 applied [1] - 32:1 apply [1] - 32:5 appreciate [1] - 29:16 appropriation [1] - 28:14 approval [4] - 6:5, 11:24, 27:16, 33:13 approve [3] - 12:17, 26:21, 31:7 approved [2] - 27:6, 29:2 area [4] - 10:19, 23:17, 35:7, 38:22 areas [2] - 7:24, 8:19 Arkansas [3] - 40:12, 40:20, 40:21 assets [1] - 22:9 assist [1] - 39:15</p>	<p>AT [1] - 1:15 attached [3] - 27:25, 28:6, 29:5 attempt [1] - 15:1 attend [2] - 6:2, 7:20 attention [1] - 25:2 Attorney [8] - 19:21, 20:6, 20:13, 20:16, 21:10, 21:20, 22:4, 31:21 auction [3] - 9:25, 10:8, 10:16 audit [1] - 29:15 auditing [1] - 24:22 August [2] - 34:10, 37:7 authority [1] - 13:7 authorize [1] - 28:22 Auto [2] - 30:10, 31:16 automotive [1] - 9:20 available [2] - 28:17, 28:18 AVENUE [1] - 2:18 average [3] - 7:15, 9:9, 10:23</p>
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