

LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
APRIL 16, 2012
BEGINNING AT 9:31 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

4 MR. JOHN POTEET

5

6 COMMISSIONERS PRESENT:

7 MR. GEORGE BREWER

8 MR. TONY CORMIER

9 MR. RON DUPLESSIS (ARRIVED LATE)

10 MR. GEORGE FLOYD (ARRIVED LATE)

11 MR. KIRBY ROY

12 MR. HENRY "DARTY" SMITH

13 MR. DINO TAYLOR

14 MR. DOUGLAS TURNER

15

16

17 REPRESENTING THE LOUISIANA USED MOTOR
18 VEHICLE COMMISSION:

18

19 ROBERT W. HALLACK, ESQUIRE
20 HALLACK LAW OFFICE
21 13007 JUSTICE AVENUE
22 BATON ROUGE, LOUISIANA 70816

21

22 SHERI MORRIS, ESQUIRE
23 ROEDEL, PARSONS, KOCH, BLACHE,
24 BALHOFF & McCOLLISTER
25 8440 JEFFERSON HIGHWAY, SUITE 301
BATON ROUGE, LOUISIANA 70809

24

25

1 ALSO PRESENT:

2

3 MS. KIM BARON

4 MR. DEREK PARNELL

5 MS. MONA ANDERSON

6 MR. KEVIN REMBERT

7 MS. TONYA BURKS

8 MS. JUNE POWELL

9 MR. RONNIE WISENOR

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1 MR. POTEET:

2 All right. Let's go ahead and
3 get started.

4 (PLEDGE OF ALLEGIANCE)

5 MR. POTEET:

6 Kim.

7 MS. BARON:

8 Mr. Poteet?

9 MR. POTEET:

10 Here.

11 MS. BARON:

12 George Brewer?

13 MR. BREWER:

14 Here.

15 MS. BARON:

16 Louis Bourgeois?

17 MR. BOURGEOIS:

18 (No response.)

19 MS. BARON:

20 Tony Cormier?

21 MR. CORMIER:

22 Here.

23 MS. BARON:

24 Ron Duplessis?

25

1 MR. DUPLESSIS:

2 (No response.)

3 MS. BARON:

4 George Floyd?

5 MR. FLOYD:

6 (No response.)

7 MS. BARON:

8 Kirby Roy?

9 MR. ROY:

10 Here.

11 MS. BARON:

12 Darty Smith?

13 MR. SMITH:

14 Here.

15 MS. BARON:

16 Douglas Turner?

17 MR. TURNER:

18 Here.

19 MS. BARON:

20 Dino Taylor?

21 MR. TAYLOR:

22 Here.

23 MS. BARON:

24 Mr. Chairman, we have a quorum.

25 MR. POTEET:

1 Very good.

2 Any public comments today? No
3 public comments?

4 MS. BARON:

5 No, sir.

6 MR. POTEET:

7 No public comments, okay.

8 All right. We'll start off like
9 we usually do with Mona -- oh, no, we'll
10 start off with approval of the minutes of
11 the previous meeting.

12 MR. TURNER:

13 Motion to approve the previous
14 minutes.

15 MR. SMITH:

16 I'll second.

17 MR. POTEET:

18 All in favor, say "Aye."

19 (All "Aye" responses.)

20 MR. POTEET:

21 All right. The motion is
22 approved.

23 Now, Mona.

24 MS. ANDERSON:

25 Good morning.

1 MR. POTEET:

2 Good morning.

3 MS. ANDERSON:

4 We have a lot to go through. So
5 I'm going to kind of run through February
6 fairly fast. If you'll turn in your packet,
7 your first set of financials is for the
8 month ending February 29. On Page 1, your
9 balance sheet, your operating account shows
10 a balance of \$1,945,075.89. We had moved
11 \$100,000 in cash from the operating account
12 into the CDs at the request of the
13 Commission last month. We'll get to that
14 when we get to the CD statement. The
15 accounts receivable hearings, your balance
16 has increased to \$65,100. On the second
17 page of your balance sheet there, your
18 deferred revenues are \$224,595 and the
19 year-to-date revenue over expenditures is
20 \$416,240. That's compared to last year's
21 \$313,000.

22 Moving on to the next page, Page
23 3, is the revenue and expenditure statement
24 on your first page there at the bottom of
25 the page, your year-to-date revenues are

1 \$993,046, which is an increase over last
2 year by \$67,000. Last year, it was
3 \$925,000. On the next page are your
4 expenditures. The expenditures at the end
5 of February should be about -- what we
6 should have left in the budget would be
7 about 33 percent. Overall, we had 43.6
8 percent left. So we're well within the
9 budget. The salaries and related benefits
10 are five percent under budget with the year
11 to date remaining in the budget \$259,773.

12 On the following page, your
13 operating expenditures -- Page 5, your
14 operating expenditures are 8.8 percent under
15 budget and professional services are 65
16 percent under budget. Now, we do have some
17 -- since we weren't able to approve the
18 legal expenditures last month, we'll have
19 two months worth in this month. On the
20 final page there, your year-to-date revenue
21 over expenditures is \$416,240. The month to
22 date is a loss of \$8,153. And, again, on
23 the following page, your revenue over
24 expenditures down the middle of the page is
25 \$416,240.

1 On Page 8, your certificate of
2 deposit report, there you see we took out
3 the \$100,000 CD at LA Capitol with a point
4 four percent interest rate. That brings
5 your total CDs to \$497,970. On the
6 following page, your accounts receivable
7 hearings and fines report, in February, we
8 increased that by \$2,000 for a total of
9 \$65,100 and we collected \$700 from
10 Affordable Comfort during the month.

11 Unless there are any other
12 questions, Mr. Chairman, if we could approve
13 the February statement?

14 MR. POTEET:

15 All right. I guess no questions
16 on February. We need a motion to approve.

17 MR. ROY:

18 I make that motion to approve.

19 MR. POTEET:

20 Second?

21 MR. CORMIER:

22 Second.

23 MR. POTEET:

24 All in favor, say "Aye."

25 (All "Aye" responses.)

1 MR. POTEET:

2 All right.

3 MS. ANDERSON:

4 Moving on to the March
5 statements, the next set of statements in
6 your packet, on March 31st, our cash balance
7 was \$1,194,990. Our accounts receivable
8 hearings in March increased by \$2,850. So
9 our new balance is \$67,950.

10 On page 2, your deferred revenue
11 for the year to date is \$236,105. And the
12 year-to-date revenue over expenditures was
13 \$400,973. Moving on to the revenue and
14 expenditure statement on Page 3, at the
15 bottom of the page, our income was
16 \$1,046,257 at the end of March, and the
17 non-fee related income increased by about
18 \$34,000, primarily in the hearings and fines
19 area. Last year, we had \$969,345 in March.

20 On Page 4, your expenditures, at
21 this point in the budget, you should have
22 about 25 percent left in the budget, and
23 overall we have 37 percent left. Most of
24 the expenditures were the same. There were
25 some line items -- there are some line items

1 that are over budget, but overall each of
2 the categories is still under budget.

3 On your last page of the revenue
4 and expenditure statement, Page 6, you see
5 our year-to-date revenue over expenditures
6 is \$400,973. Our month to date loss was
7 \$15,267 as we enter the end of our renewal
8 season. On the next page, our revenue over
9 expenditures, you can see that again there
10 on that report in the center of the page.
11 On the following page, Page 8, your
12 certificates of deposit, we've got a couple
13 of CDs that are coming up this month with
14 Landmark Bank. Those are, in fact, this
15 week. And Landmark, that's our expiring
16 rate there and the -- on maturity, Landmark
17 is offering point five for six months and
18 point eight for one year.

19 Sheri, were you able to look at
20 anything on that?

21 MS. MORRIS:

22 I wasn't able to get anyone from
23 the Treasurer's Office last week to look at
24 the issue that was raised about whether to
25 invest in bonds.

1 MS. ANDERSON:

2 We were going to look at the bond
3 suggestion and I contacted our -- Chase and
4 all of their investment people are out of
5 state, like New York or whatever. So we
6 went back and contacted a couple of other
7 entities that were on the fiscal agent list
8 and we were asked to provide copies of our
9 own policy and the State policy, and I did
10 have a question about whether or not we
11 could invest in bonds. It appears to me
12 that it was only CDs and savings accounts,
13 but we referred that to Sheri to look into
14 it to see if we can, in fact, do bonds.

15 MS. MORRIS:

16 You would, in fact, have to amend
17 your policy to do that, because your policy
18 doesn't allow it. We were just trying to
19 get clarification as to whether we could
20 under the State law. So that's not going to
21 be doable before the expiration date of
22 these two particular CDs.

23 MS. ANDERSON:

24 So, in all likelihood, we're
25 going to let those roll over into probably

1 an annual, since the rates are a little bit
2 better there.

3 And the following page, Page 9,
4 is your accounts receivable hearings report.
5 We added a number of items there. The
6 accounts we added were Extreme Cars and
7 Trucks for \$800, Car Boys for \$800, Gum
8 Ridge Auto Sales, \$650, Boardwalk Motor
9 Cars, \$300, and Premier for \$2,900. That
10 brings our total on our accounts receivable
11 hearings to \$67,950. We collected \$600 from
12 Atchafalaya RV, and \$2,000 from King of Kars
13 for the month.

14 Mr. Chairman, that concludes my
15 report unless anyone has any questions.

16 MR. TURNER:

17 I have a question. On Page 5 on
18 the revenue and expenditure statement, it
19 looks all right to me, but I have a
20 question. The budget item, 50,000 to
21 insurance, we budgeted \$38,000. We've only
22 spent \$15,900. We are way under budget and
23 way less than last year.

24 MS. ANDERSON:

25 Well, we developed that budget at

1 the end of 2010 based on the prior year's
2 insurance and when we got the insurance,
3 what we do is, we pay it out at the
4 beginning of July, and then we expense it
5 out over the fiscal year. And in -- when we
6 got the bill in July, it was significantly
7 less than what we had paid in the prior year
8 due to the decrease in our risks.

9 MR. TURNER:

10 That's liability insurance?

11 MS. ANDERSON:

12 It's our commercial insurance.
13 It's the whole thing, our liability, our
14 building, our -- the whole -- everything.

15 MR. TURNER:

16 And on miscellaneous, \$5,510 --

17 MS. ANDERSON:

18 Yes, sir.

19 MR. TURNER:

20 -- we were way over budget on
21 that. What is that?

22 MS. ANDERSON:

23 Remember, we talked about in
24 prior months we had not anticipated doing so
25 much on the credit card -- taking credit

1 cards in our renewals, and so those are the
2 fees for the credit card. Like I said,
3 we're within budget on the total operating,
4 but that's high. We're going to have to
5 amend the budget close to the end of the
6 fiscal year to bring it back in line, but
7 that's why. We pay fees for our dealers to
8 use their credit cards. And, like I said,
9 we have never taken that many credit cards
10 in the history of the agency.

11 MR. TURNER:

12 What is the average that we're
13 paying on the credit card?

14 MS. ANDERSON:

15 I'll have to look at that and see
16 for you. I don't know it off the top of my
17 head. I've looked at it before and we are
18 covering our expense -- the convenience fee
19 that we charge for it, we are covering our
20 expense there. But I'll have to get you a
21 percentage on this.

22 MR. TURNER:

23 I'm just thinking since we're
24 going to be doing a lot more credit card
25 payments, we probably ought to shop -- we

1 ought to check what the rate is and shop it,
2 because there are big variances on those.

3 MS. ANDERSON:

4 Yes, sir. But that's a State run
5 thing. We get that through the State of
6 Louisiana. Well, we could, but it's highly
7 unlikely we're going to get a better rate
8 than what we're getting through them. We
9 would have to shop and get three, five,
10 different -- yes, they're just that high.

11 MS. MORRIS:

12 It's very difficult, especially
13 with a small agency, to switch to another
14 one, because it's -- the fee is not a set
15 fee. It depends upon the type of card that
16 the person uses. And so you can't ever
17 predict what type of credit card people are
18 going to use. You know, they have different
19 rates depending on who issued them and
20 whether they get points back, cash back.

21 MR. TURNER:

22 I understand that. There's going
23 to be a big variance between different
24 banks, what they charge, though.

25 MS. MORRIS:

1 It is, but when you bid it, it's
2 really hard to interpret the bids, because
3 you don't have any basis to determine what
4 types of cards.

5 MS. ANDERSON:

6 Bank of America is who's handling
7 it right now and we go through the
8 processing agency. It's called Paypoint.

9 MR. TURNER:

10 Okay. That's all my questions.

11 MR. POTEET:

12 Regarding that, too, we probably
13 should have a line item for that rather than
14 just lumping it all into miscellaneous.

15 MS. ANDERSON:

16 Right. We are moving to a
17 different accounting system and I've already
18 mapped out the GL codes. From my
19 experience, miscellaneous is infrequent and
20 small, and this miscellaneous code was set
21 up originally on our computer system and
22 it's being misused. There's too much in
23 there. You can't tell what you have there.
24 So we're going to break it down and you'll
25 see more codes that are better -- better

1 explain what it is you're looking at. Okay.

2 MR. POTEET:

3 Okay, good. Okay.

4 Does anybody else have any more
5 -- other questions for Mona on the
6 financials?

7 (No response.)

8 MR. POTEET:

9 So this is March. We need to
10 have a motion to approve March.

11 MR. CORMIER:

12 I make a motion to approve March.

13 MR. TURNER:

14 Second.

15 MR. POTEET:

16 Second from Doug.

17 All in favor, say "Aye."

18 (All "Aye" responses.)

19 MR. POTEET:

20 Let's see. Legal matters -- no,
21 payment of invoices. We've got invoices
22 from our attorneys, Sheri Morris and Robert
23 Hallack for February and March.

24 MR. PARNELL:

25 Commissioners, I have gone

1 through -- I'll start with February 2012 and
2 March 2012 starting with attorney Sheri
3 Morris. I've gone through each line item to
4 verify that the line items are the actual
5 work that's being done and I did sit with
6 Mona and she did confirm the calculations,
7 actually, on both invoices for Sheri Morris
8 and Robert Hallack for both months. So I
9 don't know if you have any questions for the
10 attorneys individually to discuss.

11 MR. POTEET:

12 We can approve all of this at one
13 time with one motion?

14 MS. MORRIS:

15 We can.

16 MR. HALLACK:

17 I agree.

18 MR. POTEET:

19 Good. We have two attorneys
20 agree.

21 Does anybody have any questions
22 for either attorney on their invoices?

23 (No response.)

24 MR. POTEET:

25 If not, I would entertain a

1 motion to approve all four invoices.

2 MR. SMITH:

3 I'll make the motion.

4 MR. POTEET:

5 Darty.

6 MR. FLOYD:

7 Second.

8 MR. POTEET:

9 George seconds.

10 All in favor, say "Aye."

11 (All "Aye" responses.)

12 MR. POTEET:

13 All right. You get paid.

14 Now, we'll move on to legal
15 matters and pending litigation. Robert.

16 MR. HALLACK:

17 You have in your notebook where
18 Mr. Ibrahim of Value Imports has appealed
19 the Court's decision to the First Circuit
20 Court of Appeals. So it will be a while
21 before the clerk of court lodges the record
22 with the Court of Appeals. Once the record
23 gets lodged, we'll have a briefing deadline
24 and a following briefing deadline and if
25 they so select, we'll have oral arguments

1 before the First Circuit Court of Appeals.

2 So it just keeps going.

3 MR. PARNELL:

4 We did send out -- we did try to
5 go against the bond. Once the last appeal
6 did not -- wasn't successful, we did go
7 against the bond and I think -- we believe
8 that it was kind of prompted by that and
9 once the bond company contacted them -- they
10 always give the person the opportunity to
11 pay. Once they're contacted, that's when we
12 forwarded it and they are trying to do
13 another appeal at that point.

14 MR. HALLACK:

15 Hold on. It's a devolutive
16 appeal.

17 MS. MORRIS:

18 It should not interrupt anything.

19 MS. BARON:

20 Well, the bond company sent me a
21 letter and told me that they were not going
22 to pay, because it was --

23 MR. HALLACK:

24 It doesn't matter. It's
25 devolutive. It's not suspended.

1 MS. BARON:

2 I'll contact --

3 MR. HALLACK:

4 It's not a suspensive appeal. A
5 suspensive appeal is where you would put up
6 a bond for the enforcement of the judgment.
7 So if it's a money judgment, \$20,000, you
8 would have to put up a bond for that amount.
9 You could execute against that bond. So it
10 suspends the effect of the judgment with the
11 bond. A devolutive appeal does not suspend
12 the effects of the judgment. The judgment
13 must be paid at that point. So a suspensive
14 appeal, you have basically 37 days in which
15 to file your request for an appeal. On a
16 devolutive appeal, you have basically 67
17 days to file for an appeal. You submit to
18 them, show then that they filed only a
19 devolutive appeal, which does not suspend
20 the effects of the judgment and they must
21 pay.

22 MS. MORRIS:

23 Right. If they pay, it's
24 ultimately reversed and the Commission may
25 have to pay it back. You have an obligation

1 to pay if the appeal is granted.

2 MR. TAYLOR:

3 Who determines which appeal you
4 get? Do you file that yourself at a point,
5 which one --

6 MR. HALLACK:

7 No. The appellant decides which
8 one he is going to do.

9 MR. TAYLOR:

10 Okay.

11 MR. POTEET:

12 So the bond company says that
13 they don't have to pay yet?

14 MS. BARON:

15 They sent me a notice saying that
16 he had appealed, but I will contact the
17 bonding company. They may not have known
18 what kind of appeal it was. I didn't
19 either, but I'll contact them.

20 MR. POTEET:

21 So this is his last appeal? I
22 mean --

23 MR. HALLACK:

24 He can actually take a writ
25 application to the Supreme Court.

1 MR. POTEET:

2 Right.

3 MR. HALLACK:

4 We have had that with previous
5 licensees, take it all the way to the
6 Supreme Court.

7 MS. BARON:

8 So if this doesn't block the
9 judgment of the payment, he's appealing the
10 fact that we won't let him have a
11 dealership?

12 MR. HALLACK:

13 No. His license is revoked.

14 MS. BARON:

15 Right.

16 MR. HALLACK:

17 It's always been revoked.

18 MR. POTEET:

19 He's appealing the revocation,
20 right?

21 MR. HALLACK:

22 He's actually -- well, no, he's
23 appealing the revocation, but he's also
24 appealing the fine, too.

25 MS. BARON:

1 But they have to pay the fine,
2 because of the way the appeal is done.

3 MS. MORRIS:

4 They can't operate. They are
5 still revoked.

6 MR. HALLACK:

7 That's right.

8 MS. BARON:

9 Okay.

10 MR. POTEET:

11 Does anybody have any questions
12 about that?

13 MR. HALLACK:

14 We've got another attorney, too,
15 by the way.

16 MR. CORMIER:

17 So I guess that's in our favor?

18 MR. HALLACK:

19 What's that?

20 MR. CORMIER:

21 The way it is.

22 MR. HALLACK:

23 Oh, yes. It means that we can
24 execute the order.

25 MR. POTEET:

1 As long as he's not doing
2 business, we're doing our job, right?

3 MR. TURNER:

4 He is shut down from doing
5 business?

6 MR. HALLACK:

7 Yes.

8 MR. POTEET:

9 No other questions about that.
10 Then, we'll move on to the regular
11 legislative session.

12 Ron, if you want to pick up here
13 or, Derek, or -- they've got a lot of stuff.

14 MR. DUPLESSIS:

15 Well, I think we all are going to
16 pitch in on this one.

17 MR. POTEET:

18 There have been more e-mails in
19 the last two weeks than I've seen in the
20 last two years.

21 MR. DUPLESSIS:

22 This is politics as usual. It's
23 not a real special show. I'm going to let
24 the lawyers kind of give the overview, but
25 it's interesting our Bill 804. I think it

1 sailed through the House and the Committee,
2 and I don't know what the vote was, 124 in
3 favor to zero opposed. So our curbstoning
4 thing is really great. And I like the way
5 the curbstoning is written, y'all did a
6 great job on that. On the other hand, when
7 we were broke, everybody wanted it. Now
8 that we're making money, everybody wants our
9 money and shut us down and take our agency.
10 Good job, Derek.

11 We have a very interesting bill
12 by Senator Alario and I don't really
13 understand the bill and I'll give a quick
14 overview and I'll let Sheri and Robert give
15 you their thoughts on this bill. But they
16 want to take all of our money and put it in
17 the State Treasury and dole it out to us as
18 we need it. I don't give this bill -- I've
19 seen this bill in many forms or fashions
20 before and I don't give it much hope, but
21 you never know. We're in a crunch time.
22 Senator Alario a lot of times does the work
23 for the Governor. So I would have to think
24 that there's a consolidation theory here.
25 And that was Bill 590. Representative Jones

1 is angry at us and he just wants to abolish
2 the Commission and he wants to move it to
3 the Department of Motor Vehicle and Public
4 Safety. His frustration, which we need to
5 address, I think, to some degree is a fair
6 frustration, but it's an overreaction. We
7 need to look at a few points and I'll let
8 Derek pick up those a little later, because
9 it's an interesting recital. He says we
10 didn't return his phone call, but didn't try
11 to migrate up the chain of command. He just
12 left some messages in the midst of renewal.
13 And when -- we reviewed that and I'll let
14 you kind of touch base on that.

15 The two hot bills out there, and
16 they oppose each other, is Bill 442 by
17 Representative Abramson and he wants to
18 raise the limit to \$100,000 on the
19 rent-to-own insurance and he wants to make
20 it a single non-admitted. So he doesn't
21 only want to keep it the way it is, but he
22 wants to escalate the amount of money that
23 you would have to insure for each vehicle,
24 not aggregate, but each vehicle to 100 grand
25 over the standard limits that we have now.

1 He is the single author of this. If we drop
2 down -- and that's Bill 442. And if we drop
3 down to House Bill 1074, this is in
4 opposition, which has garnered a lot of
5 attention and Chris Roceri is really taking
6 the bull by the horns on this and he shouted
7 with me about it briefly and he has picked
8 up Representative Dugas, Representative
9 Henry, Representative Ligi and
10 Representative Alario to be co-authors on
11 this. He has also put together a You Tube
12 channel explaining this. So if you have any
13 interest --

14 MR. TURNER:

15 It's very good.

16 MR. DUPLESSIS:

17 I tell you what, I'm going to
18 hire him to do some of my stuff after it's
19 over, but he did a nice job on this and
20 they're garnering, I think, a lot of
21 attention. I think the Abramson bill is
22 going to be in trouble and I think that this
23 bill probably is going to get some sort of
24 compromise. You know, I don't know what it
25 is. They're going to have to fight it to

1 the death, in my opinion. But anyway, it's
2 so early in the session, the only ones that
3 we've addressed is our Bill 804, which seems
4 to be sailing through just fine. And their
5 Representative Jones, we met with him in the
6 hall at the House Representatives Committee
7 meeting and the chairman asked him to defer
8 the bill after we waited there until one
9 o'clock and he came out in the hall and he
10 chatted with us. And he just announced his
11 frustration, but I think in all
12 practicality, he's going to pull that bill
13 tonight is my thought, especially if Derek
14 takes care of a few issues that I think we
15 have in the Commission. But he was very
16 unstable in his position on the bill, I
17 think. So I think we're in pretty good
18 shape there.

19 But, Derek, I tell you what, why
20 don't you talk to the Commission real quick
21 about what we talked to Representative Jones
22 about, because I do think that it warrants
23 concern and maybe some action on our part.

24 And then, Sheri, and, Robert, if
25 you will take the other bills, I would

1 appreciate it, and get more in-depth.

2 MR. PARNELL:

3 One of the major concerns that
4 Representative Jones had was moving forward
5 trying to abolish the Commission. It's a
6 concern. As Commissioner Duplessis just
7 said, his position really wasn't as strong
8 as I would have thought. Basically, he said
9 that some constituency -- someone called and
10 left a message on our answering machine and
11 didn't receive a return call. He also said
12 that he, himself, called and left a message
13 on our answering machine and didn't receive
14 a return call. What I did this year was a
15 little bit different than in the past. I've
16 gone up front and sat with the persons in
17 our licensing department up front and just
18 tried to help answer phones and just see
19 exactly what is going on and the phones are
20 so -- they're calling constantly. Whereas,
21 they weren't able to really get there and
22 actually do their job. So at two o'clock
23 every day -- we did it for about a month
24 straight, from two o'clock to five o'clock,
25 I put the answering machine on and basically

1 said -- and I had someone come in the next
2 day and sit there and go through and return
3 calls. Basically, during that timeframe, on
4 average, we averaged about 160, 170 calls
5 during that timeframe. So you understand
6 the amount of calls that were coming in to
7 the office through that timeframe. This was
8 all day. Secondly, they weren't able to
9 really answer the phones that often and get
10 the work done.

11 Also, he said that the answering
12 machine stated that someone would give him a
13 call back in 48 hours. Whereas, I did make
14 sure he understood that our answering
15 machine has not and will not ever say what
16 timeframe upon which someone will give you a
17 call back. I did question whether or not he
18 called the right number. And he also stated
19 to me that -- and my concern was this, the
20 initial conversation I had with him, I asked
21 him about, you know, why wasn't it -- why
22 didn't I get a call, why didn't I get an
23 e-mail. He said that, well, no one called
24 you. Well, in my opinion, that's what I
25 would do. If I'm not satisfied with the

1 staff or something that's going on, I will
2 call the director or the manager to find out
3 what's going on. Each and every time I
4 receive phone call from anybody, I address
5 the issue and everyone is happy beyond that.
6 Being that that didn't happen, it kind of
7 made me believe that it was something else
8 moving or driving this bill forward.

9 But what happened was, when our
10 Bill 804 was about to go through,
11 Representative James was about to argue our
12 bill on the House floor, he sent me a text
13 message. I was sitting at the top, and he
14 asked did I know of anybody that had any
15 opposition to our bill and I said, no,
16 except for -- I told him to check with
17 Representative Jones to see if he had any
18 concerns with us, because I'm thinking he
19 may have voted nay since he was trying to
20 abolish our Commission. He got up and went
21 and spoke with him and he said he didn't
22 have a problem at all with our bill. He
23 voted yea for our 804.

24 Representative James, after that,
25 after he got off the floor debate, he went

1 and asked him again, you know, what's going
2 on with that House Bill 1002.
3 Representative Jones told him that he
4 doesn't think that he may move forward with
5 the bill at all, but he would just make a
6 decision on it sometime this week or next
7 week. So I'm just waiting to hear from
8 that.

9 But some of the issues, I do
10 agree, we do need to make sure that we're
11 addressing is our staff size. There's no
12 way that we can really handle the amount of
13 licensees in an efficient manner without
14 increasing our staff size. And what I've
15 done in relation to that is to certainly try
16 to address some of those points. The first
17 thing I've done -- and this is something I
18 was going to talk about a little bit later.
19 I don't know if you prefer to go off on
20 something else.

21 MR. DUPLESSIS:

22 No. I think you just need to
23 keep going.

24 MR. PARNELL:

25 One of the concerns that he

1 addressed is also one I agree with
2 wholeheartedly is that in our District 3 --
3 and I spoke with Chairman Poteet about this
4 as well. In District 3, we don't have an
5 investigator. What we've been doing is,
6 I've been pulling Ronnie and June -- we've
7 just been pulling a lot of investigators --
8 Montie as well from District 1 coming down
9 and assisting in the District 3, District 4
10 areas, because those are areas right now
11 that there's not a lot of coverage. I have
12 posted an Investigator 3 position,
13 compliance investigator position. I did
14 that last week, because we need to make sure
15 that we have coverage.

16 Ultimately, I would like to see
17 us become more proactive as it relates to
18 our compliance investigation. Right now
19 we're kind of operating more reactively,
20 because we don't have enough personnel out
21 there to really touch all the dealerships.
22 In the future, I definitely would like to
23 see us grow. Right now everything is pretty
24 much complaint based. When we receive a
25 complaint is when we send someone out unless

1 there's something they see and they pass up
2 and they'll stop and deal with them in that
3 regard, but ultimately everything is really
4 pretty much complaint based.

5 Here in the office, what I've
6 done is, we did some shifting around. We
7 did lose one person in the office. So I did
8 shift one person from the licensing
9 department and moved her to the finance
10 side. She's doing a great job over there.
11 And I brought in at least two persons to
12 pretty much work on a probational basis
13 right now. They're learning very well.
14 We're moving forward, but I also -- I posted
15 another position as well for the licensing
16 side. I don't want us to be in a situation
17 where we have to not have enough personnel
18 to actually get these licenses out. Now,
19 granted, we did move forward with changing
20 our policy as it relates to our two year
21 licenses. We still have to license 7,000 --
22 I'm sorry 4,000 salesmen. We were going to
23 license half of our dealerships moving
24 forward. I want to be in a position where
25 our turn around time is incredibly fast. I

1 don't want to see licenses or persons here
2 over 14 days. Now, if they have issues,
3 that's going to give them more time. We're
4 going to have to try to get paperwork back
5 and forth. But a lot of what I've been
6 dealing with, a lot of complaints that come
7 in, most of the complaints arise from
8 dealers that don't get their information to
9 us in a timely manner or just forget to send
10 us stuff and we have to send out one or two
11 letters just to try to notify them what
12 they're missing. But our turn around time,
13 I do agree with that, it is too long.
14 Moving forward, I think what the additional
15 that I am trying to make now and preparing
16 them now and trying to prep them, get them
17 trained, so by the time we get to September
18 and October in our renewal period, we're
19 able to get through it and not have all of
20 these issues in the future. So that's about
21 it.

22 MR. DUPLESSIS:

23 One of the things that -- the
24 other thing that I kind of picked up is we
25 may want to look at it over time and if --

1 during that period. I do think you need to
2 expand -- I think CAVU has become an
3 Achilles heel to you. I think you need to
4 address that in talking to Senator Jones --
5 Representative Jones. He almost scolded us
6 like little kids and I didn't really take it
7 that well, but he's kind of making a
8 commitment about playing well on the
9 playground and all that sort of thing. It
10 was crazy. He actually just scolded us, you
11 know, and I think he wanted to make a point
12 that he felt jilted and we need to address
13 this thing as a business decision and I do
14 think that over time looking at CAVU would
15 be a great business decision in my opinion.

16 The other thing that I would
17 defer to Sheri on is the way that I've seen
18 a lot of these changes in contract being
19 handled is through a product on the Internet
20 called E-sign where you can take the issue
21 that's not correct, you can e-mail it to
22 them, and then they can electronically sign
23 it via their e-mail, and I think that would
24 improve your turn around time. It's not a
25 very expensive product and I think at the

1 time of renewal, it would be a great asset,
2 too.

3 The other thing that -- you know,
4 I think that we told Representative Jones is
5 that we weren't shutting anyone down for
6 them being -- I think he was under the
7 impression we're going to go in there and
8 we're going to start taking signs and cars
9 and that ridiculous stuff. Anyway, it
10 really didn't make a lot of sense, but I
11 think at the end of the day that this bill
12 is dead. And I think there's some
13 opportunity and observation to improve the
14 Commission even more and streamline it and
15 make our licensees a little happier.

16 Sheri, you can talk about, I
17 guess, the other two bills. Really, none of
18 these other bills have really moved forward.
19 I can let you talk about the revenue bill,
20 which, you know, we've seen in many forms
21 before. I don't think that we were ever a
22 party to this before, because we didn't have
23 any money. Now that we have -- I think
24 we're on the radar to flush some of the
25 money through the Treasury. I don't think

1 that bill will go anywhere, but I don't
2 know. You never know about these sorts of
3 things.

4 MS. MORRIS:

5 Well, what you all have is
6 similar to what other licensing agencies
7 have. It's a special fund where your money
8 is deposited in there and it's budgeted by
9 the agency, and so it all stays intact for
10 use of operation of the agency. If it were
11 to be transferred to the Treasurer, then you
12 would have to go through the Treasurer's
13 Office to get those funds. So what Derek
14 and I are going to do is talk with the
15 staff, because the only -- this is a bill
16 that follows a list of funds, but the only
17 licensing agency fund is yours that's in
18 there. We're not really sure why it got
19 included. We'll see if we can get it out.
20 But in the past, the Treasurer's Office
21 really didn't have the staff to maintain all
22 of the accounts for all of the agencies.
23 Some of the licensing agencies are under
24 other executive agencies. Like some are
25 under DHH and some are under the Division of

1 Administration, they have agencies. And
2 those agencies used to actually issue the
3 checks and everything. It slows up your
4 whole process and we're under the Office of
5 the Governor and, in the past, I've not
6 known the Office of the Governor to handle
7 anybody's accounts. So we just have to make
8 sure that -- maybe it was unintentionally
9 included, but it would totally change your
10 operation, and then if you move it to
11 another -- into somebody else's budget, then
12 that affects the audit and review process
13 and everything. So we're not sure why it's
14 in there. We kind of turned our intention
15 to represent Representative Jones' bill,
16 because it got scheduled first. So we'll
17 get back on that one and see what needs to
18 be done to have it removed from that.

19 MR. DUPLESSIS:

20 Under this bill, I've never seen
21 a self-funded agency under the State
22 Treasury that I know of.

23 MS. MORRIS:

24 Well, there have been -- I know
25 the Cosmetology Board fund used to do it

1 there's going to be other management
2 accounts, but you are not set up to do it
3 that way. So I don't think it makes much
4 sense to do it at this point.

5 MR. DUPLESSIS:

6 I don't have a lot of concern
7 with this bill. I think it's highly
8 manageable and I think it will die. You've
9 got a good thing, you've got a well
10 respected guy in Derek and Robert and Sheri,
11 and I think that's just -- it's a non-issue,
12 just too complicated.

13 The last two bills, Sheri, before
14 we talk about these, I'm going to ask you to
15 do something for me, 442 and 1074, and this
16 came up, and they are hot bills for hot
17 issues. It's going to affect the future of,
18 you know, public transportation. The CATS
19 bill is up right now and the millage tax for
20 public transportation. So this is kind of
21 becoming public transportation maybe in a
22 way, but I want to talk the ethics code,
23 about getting into this bill, so you guys
24 don't unwittingly get in trouble. I think
25 there's a -- I think the lobbyist for one of

1 the bills here potentially gets fairly
2 adversarial and ugly, and we should talk
3 about this, so we don't step in a trap. And
4 I also want to thank Kevin for coming to the
5 Committee meeting and helping Representative
6 Jones in working that deal. Working with
7 the Louisiana Independent Auto Dealers, I
8 think we're starting to form a bond of
9 common courtesy and common business
10 practices and he was there to help us.

11 Would you talk about the ethics
12 before you talk about these two other bills?

13 MS. MORRIS:

14 Well, the ethics code -- and I
15 didn't bring the specific definitions with
16 me, but it defines a lobbyist. But,
17 basically, if you're not making
18 expenditures, if you're not taking the
19 Legislators to lunch and those sorts of
20 things, you probably don't fall under the
21 definition of lobbyist unless you have some
22 other work that you're doing. But your
23 staff, Robert, myself, your contract staff
24 and your in-house staff, cannot lobby on or
25 try to persuade the passage of legislation

1 on behalf of the Commission. The only role
2 that we can perform is to provide
3 information, which is what this Commission
4 did with respect to contingency auto
5 liability insurance, because we were
6 requested do so by the Insurance Committee
7 of the House. Commissioners certainly can
8 speak with Legislators and express their
9 opinion, but your staff and your contract
10 staff cannot do that on your behalf. So we
11 can only provide information to enable the
12 Legislative Committee to make the decision
13 on the legislation. We cannot send out any
14 letters, literature, preparing any e-mails,
15 any letters or communications to the
16 Legislators that promote a piece of
17 legislation or support the defeat of any
18 piece of legislation.

19 MR. TURNER:

20 Can we ask for their backing?

21 MS. MORRIS:

22 As Commissioners, you all can
23 communicate with the Legislators and give
24 your opinion about the legislation, but
25 Derek cannot do that and Robert and myself

1 cannot do that. There can't be any
2 communication on office letterhead or
3 anything paid for by the Commission.
4 Likewise, if you're here and you're
5 collecting a per diem from the Commission,
6 you cannot as part of that per diem, be at
7 the Legislature promoting the passage or
8 defeat of legislation. But, certainly, as
9 citizens and members of the Commission, you
10 can express your opinion.

11 MR. DUPLESSIS:

12 And, basically, I can say, Ron
13 Duplessis, as a retail new car dealer, would
14 see the benefits as. I wouldn't be able to
15 say as a Legislator or a Commissioner that
16 you should vote for this in this regard.
17 But what I can say as a Commissioner is I
18 can say, what we have observed in our
19 studies and the report we turned in to the
20 house, that we feel that the rent-to-own
21 business or -- would be best benefitted by,
22 and would like you to consider this
23 position. So I just wanted to forewarn you
24 before you go out on a charge, because I
25 think the other side warned me and

1 threatened me last year over something. And
2 I was pretty neutral. Sheri kind of cued me
3 up as to what to do and what not to do and
4 I'm pretty sure I followed all the rules.
5 But I think it's going to be a aggressive
6 issue and I don't want you to step in a sand
7 pile that you don't want to be in.

8 MS. MORRIS:

9 Some of y'all are members of the
10 Association and the Association can
11 certainly put in a red card or a green card
12 for legislation and, certainly, you can, as
13 a member of the association, communicate
14 with Legislators the position of the
15 association.

16 MR. DUPLESSIS:

17 Okay. Pursue on ahead with the
18 other two bills. I think it's too early to
19 have a lot of information.

20 MS. MORRIS:

21 On contingent liability?

22 MR. DUPLESSIS:

23 Yes.

24 MS. MORRIS:

25 They are basically competing

1 bills. The first one filed was
2 Representative Abramson, which is very
3 similar to a bill that's been filed in the
4 past that has been supported by SEADRA. And
5 then, a late filed bill right at the
6 deadline, Representative Billiot filed House
7 Bill 1074, with co-authors Henry, Ligi and
8 Senator Alario, who was the author of the
9 bill, for our fund, that would change the
10 contingency liability. So they're pretty
11 positive that they have been set for
12 hearing, but it's not uncommon for the
13 chairman to set, you know, all matters
14 dealing with the same issue at the same
15 committee hearing. The bill -- I don't know
16 if Representative Billiot's bill was
17 assigned to Committee, but the --
18 Representative Abramson's went to --

19 MR. HALLACK:

20 Commerce.

21 MS. MORRIS:

22 -- commerce rather than insurance
23 and it's -- our study went to insurance. So
24 Derek did send the study to the members of
25 the Commerce Committee, so that they would

1 have that information available, because
2 there wasn't much overlap in those
3 committees. And it was -- Representative
4 Abramson's bill was scheduled for hearing,
5 and then that was voluntarily deferred. So
6 it could be scheduled sometime as
7 Representative Billiot's. I don't know why
8 they would get separate committee
9 assignments, because their titles are the
10 same. So we don't have a hearing date or
11 any other information regarding the bill at
12 this time.

13 MR. DUPLESSIS:

14 In all likelihood, both of those
15 bills will be heard in one day. The
16 likelihood of two bills -- two opposing
17 bills being passed out of that committee is
18 not very likely. So whoever gets passed out
19 of that committee has got the course for the
20 future. For the future, it's in their
21 favor. So I think that if y'all have a
22 strong opinion one way or the other, you may
23 want to come to the House hearing and we'll
24 put out notifications when that is.

25 MS. MORRIS:

1 total section, the first document is your
2 alleged issue counts for February. If you
3 notice, there are 52 alleged issues,
4 non-delivery of title and refund requests
5 are the highest. That's typically the norm
6 of what we see here in the office. In
7 March, the next item is the alleged issue
8 counts for the month of March. There were
9 87 alleged issues. Non-delivery of title
10 and refund requests were the largest number
11 for a total 26 non-delivery of title
12 requests -- complaints, I should say, and
13 refund requests were 14. Both reports, they
14 kind of itemize the specific alleged
15 complaints that we received in the office.
16 If you look on the left side and see the
17 alleged issues, that's how it comes in to
18 us.

19 The next document is our case
20 report for February. It shows the actual
21 amount of cases that were assigned to our
22 field investigators in the month of
23 February. Thirty-seven cases were assigned.
24 Seventeen of the cases were completed.
25 Twenty cases remain open. That leaves us

1 with a 46 percent rate of completion for the
2 month of February. Now, for the month of
3 March, also the same report -- case report,
4 and it shows 74 cases were assigned in the
5 month. Eighteen cases were completed.
6 Fifty-six cases remain open, which leaves us
7 with a 24 percent completion rate.

8 The document that you'll see is
9 the department summary report for February.
10 The total number of cases closed for the
11 month, not necessarily ones that were
12 assigned in that month, for the month of
13 February was 40 cases. The next document is
14 the same report for the month of March.
15 That month, it was 43 total classes closed.

16 Do you have any more questions or
17 comments about complaint totals?

18 MR. TAYLOR:

19 On the 26 non-delivery of
20 title, is there one dealership standing out
21 that is producing a large percentage of
22 those?

23 MR. PARNELL:

24 Not necessarily, no. It's very,
25 very random.

1 MR. TAYLOR:

2 Okay.

3 MR. PARNELL:

4 Most of the time, the
5 non-delivery of title and refunds, they kind
6 of go hand in hand. One issue will
7 alleviate the other one and it tends to kind
8 of go away. There's not one particular one,
9 no.

10 The next item --

11 MR. POTEET:

12 Mr. Hallack, do you have a
13 question?

14 MR. HALLACK:

15 While we're on this -- what the
16 field investigators do -- a lot of y'all are
17 still kind of new commissioners, and Derek
18 and I have talked about this before, I've
19 always believed -- you've got two field
20 investigators here right now. I've always
21 believed that the field investigators are
22 the real face of this Commission. They are
23 out in the field. They are meeting with
24 consumers. They are meeting with dealers
25 every day. We have numbers here that tell

1 you what type of things that they're working
2 in terms of violations, but I think you need
3 to get a report from each investigator, more
4 than three or four lines, that tells what
5 they do in a given month, because you don't
6 see -- like when they get a car back for a
7 customer and they go and say, you know,
8 there's something wrong with this car, you
9 need to pay -- refund the money for it.

10 That happens all the time with these
11 investigators. Sometimes, they just go out
12 there and get titles and get them to
13 customers and that's maybe not an open case
14 or whatever, but they do a lot of stuff that
15 maybe you're not aware of. They check on
16 cars that are in vacant lots and that's not
17 part of what their count is. They do
18 inspections almost on a daily basis. But to
19 confine the work to just numbers on a page
20 probably is not a good indication of what
21 they really do.

22 Some of you may see an
23 investigator from time to time or -- and
24 some of you have actually asked me, can I go
25 out with an investigator and show him a

1 vacant lot that's got a lot of cars on it,
2 and I think that's a pretty good idea in a
3 certain sense, but you've got to keep in
4 mind that you can't have any previous
5 knowledge of a case if it involves a case.
6 So you have to keep that in mind.

7 I know that some of you have seen
8 some vacant lots with cars on it and want to
9 bring the investigator to them, and I think
10 that's a good idea, because curbstoning is
11 one of the biggest problems that we have to
12 deal with and everybody is working to get --
13 to work on that would certainly be very
14 helpful.

15 So I think it would be very
16 helpful just to kind of let you know this is
17 what I did in addition to working the
18 complaints or working the cases that were
19 open, I did X, Y & Z, also I got a refund
20 for a car or I got the dealer to reduce a
21 price because it had a bad transmission,
22 things like that that you don't see in the
23 numbers, things that we do as a Commission
24 that make us what we are. You see what I'm
25 saying.

1 We have people questioning what
2 we do and I think we need to make a better
3 effort of showing the world what we do, and
4 it starts by showing the Commissioners what
5 we do on the outside, so that you know
6 what's going on. So when somebody complains
7 or something like that, this is what we did.

8 Who at the Office of Motor
9 Vehicles is going to run out there and get a
10 refund from a dealer to a customer? Not a
11 soul. Who at State Police is going to run
12 out there and get a refund or get a dealer
13 to take a bad car back? Nobody. But these
14 people do it every month, every day. So I
15 think you need to see something like they're
16 doing, so that when this comes up, we can
17 tell somebody, this is what we do, this is
18 the face of the Commission, this is what our
19 investigators do on a monthly basis, not
20 just work numbers, not just work complaints,
21 but what they actually do.

22 MR. POTEET:

23 Are you suggesting that they
24 write another report?

25 MR. HALLACK:

1 Just like a three, four, five
2 line sentence.

3 MR. WISENOR:

4 I don't want him to suggest
5 nothing for me. I've got enough reports,
6 thank you.

7 MR. PARNELL:

8 I try to keep my report with you
9 kind of generic. If you know about this
10 case that's going on and we do bring that
11 case before you, you already have prior
12 knowledge of it. But I do agree. We'll
13 look into doing a better effort in trying to
14 make sure that you understand what our
15 compliance investigators are doing out there
16 in the field daily.

17 MR. POTEET:

18 Well, it sounds like Mr. Hallack
19 is suggesting that we do a better job of
20 publicizing what good things we do.

21 MR. HALLACK:

22 Yes.

23 MR. POTEET:

24 That might be something that we
25 need come up with.

1 MR. BREWER:

2 The work that they do is unreal.
3 I, personally, got involved with an
4 investigation and it helped me where I
5 didn't know where else to go, and they took
6 care of my needs.

7 MR. WISENOR:

8 Mr. Chairman?

9 MR. POTEET:

10 Yes, sir.

11 MR. WISENOR:

12 My name is Ronnie Wisenor. I'm
13 an investigator for the Used Car Commission.
14 I think what Robert is trying to say, a lot
15 of times, if you look at our phone bills --
16 our cell phone bills, a lot of times, it's
17 people that need somebody to talk to, and
18 that's a big part of it, you know. We're
19 not going to necessarily make them whole and
20 make them completely happy, but we are going
21 to do our best to get them some kind of
22 resolution on a problem. And that's -- you
23 know, that's the bottom line on our job is
24 to listen to their problems, and try to work
25 through those problems. Most of the time,

1 we end up getting the dealer to help the
2 consumer, you know. And, you know, both
3 parties didn't get what they wanted, but
4 both parties ended up being satisfied.

5 MR. POTEET:

6 Well, I think when this House
7 Bill 1002 came up and Derek and I were
8 discussing it, we felt like we probably need
9 to -- going forward, we need to, Derek and
10 any of us that we can, do a better job of
11 publicizing what we do, because we know in
12 this room what we do and things like that
13 that don't end up on a report. Roberts's
14 point, that was one of the first things I
15 brought up to Derek, do you really think the
16 Department of Motor Vehicles is going to do
17 things that we do. When was the last time
18 you were in one of these places. So I can't
19 see the consumers being helped by the change
20 in this Commission or the loss of this
21 Commission. So I think that that is
22 something we need to work on, is better
23 publicity about what we do, at least with
24 our Legislators that have control over our
25 Commission.

1 MR. HALLACK:

2 One of the things that we lose
3 site of is that we do have three consumer
4 representatives on this Board.

5 MR. POTEET:

6 Right.

7 MR. HALLACK:

8 And you wouldn't have that had it
9 gone to the Office of Motor Vehicles. There
10 would be no consumer representative. And
11 the reason why we have three consumer
12 representatives on this Board is that when
13 you clean up the industry, you clean it up
14 for everybody, you know. When you remove a
15 bad dealer like you did a few months ago,
16 you do that for everybody. You do that for
17 every dealer, so that people have faith in
18 buying a used motor vehicle from a used
19 motor vehicle dealer.

20 MR. POTEET:

21 Thank you.

22 Derek, have you got --

23 MR. PARNELL:

24 Personnel matters, I kind of
25 discussed already with the discussion on

1 House Bill 1002. I have posted two
2 positions. One is for a field investigator
3 in our District 3. Also, I have posted a
4 position for office personnel working in the
5 licensing department to be sure that moving
6 forward we can be more efficient in what
7 we're doing and what our turn around is and
8 not stretching out some of our other
9 investigators, stretching them working more
10 than one area at a time, because it gets to
11 be, you know, overwhelmingly tiresome. So I
12 -- definitely, we need to get moving in the
13 direction where we have enough manpower to
14 actually really do our job to the highest
15 levels. That's all that I have on my
16 report.

17 MR. POTEET:

18 We have one field investigator
19 position open?

20 MR. PARNELL:

21 Yes.

22 MR. POTEET:

23 So when we fill that, we'll be
24 back to full strength?

25 MR. DUPLESSIS:

1 We'll be back to five
2 investigators. We'll have one per district.
3 Ultimately, honestly, I would like to see
4 two in the New Orleans area, two in the Baton
5 Rouge area, and one in Districts 1, 2, and
6 3, with a total of seven. I think if we had
7 that many actually on one -- doing the right
8 job, I think we can really be more proactive
9 and our investigators can get out there and
10 actually touch our dealers much more often,
11 not necessarily when it is a complaint.
12 Also, I think it would help us on the
13 financial side as well, because we have a
14 lot of dealers out here that are not
15 operating properly and I think through fines
16 through various things, our revenue would
17 increase as well.

18 MR. POTEET:

19 Well, it's my personal opinion
20 five is not enough.

21 MR. PARNELL:

22 I agree.

23 MR. POTEET:

24 I think seven would be better.

25 MR. PARNELL:

1 I agree.

2 MR. POTEET:

3 Do we have the authority to
4 expand that?

5 MR. PARNELL:

6 We have the authority, but our
7 financial situation right now --

8 MR. TURNER:

9 Budget-wise.

10 MR. HALLACK:

11 Budget-wise, we definitely would
12 be completely over that. Mona and I kind of
13 talked, if you will.

14 Would you like to kind of discuss
15 it?

16 MS. ANDERSON:

17 He's absolutely right. I think
18 that in looking back -- you know, I told him
19 if you're not proactively following your
20 fees, then, you know, you're missing out on
21 some fees. There are some people out there
22 that -- a number that have not renewed and
23 we're following that right now. We've
24 developed a list and we're going back and
25 trying -- those that we have e-mail

1 addresses for, we're just contacting them
2 with a little short generic e-mail that
3 says, we know that you haven't renewed,
4 please let us know. We've picked up some
5 fees from that, some people that had
6 management changes, they had a manager that
7 left, and they just haven't gotten around to
8 renewing their license. Well, you know,
9 this spurs them on. But long range, I think
10 you can't administer your fees without
11 having some enforcement on the back side of
12 it. And the additional field investigators
13 are going to allow us that at the end of the
14 renewal period, we can research who has not
15 renewed, try to contact them via e-mail, via
16 mail, whatever, and for those that we feel
17 like they are operating and have not
18 renewed, we can send field investigators out
19 to check on that and make sure that they get
20 renewed.

21 So long run, that's going to be
22 more revenue for us and, you know, yes,
23 we're going to have to do some pro forma
24 budgets to see whether or not we can afford
25 to do all of this, how we can -- you know,

1 how we can do it in steps and what-have-you,
2 but I think long run, it's going to -- our
3 revenue is going to increase. So it's going
4 to take care of the extra bodies that we
5 hire.

6 MR. PARNELL:

7 Yes. I do have Mona working on
8 it right now, I do want to see seven
9 investigators total out there. So she's --
10 right now, like she said, she's kind of
11 going through and looking at budgetary
12 things and moving forward, how can we
13 facilitate that, how can we do that to maybe
14 implement. I'm not really sure. But she's
15 still working that up. But we definitely
16 have to grow in size and -- in investigation
17 size, because I really truly believe that
18 that's where -- something Robert said, it's
19 really the face of us as a Commission and I
20 think our dealers really need to see the
21 investigators coming out there, not every
22 now and then. I probably have some that
23 haven't seen an investigator in a year or
24 so, because they haven't have had issues,
25 but I think they need to see the

1 investigators and I think that's going to
2 ensure that they're actually, okay, somebody
3 is watching me. In past when there were 13,
4 14 investigators, that was a practice that
5 was in place. In the renewal period, they
6 did send out the investigators to kind of
7 look at who didn't renew, and that's
8 something that I really -- we need to get
9 back to doing to chase the money, to make
10 sure that we are receiving our revenue as we
11 should.

12 MR. POTEET:

13 Well, it's not just to perpetuate
14 our Commission, it's to do a better job.
15 You know, you guys that are dealers, I think
16 you would agree with me, the number one
17 thing I hear the most is curbstoning and
18 it's hard to be proactive on curbstoning
19 when we only have four investigators. When
20 you run across something, you run across
21 something. If you drive down this street
22 and there's curbstoning on the next street
23 over, you know, I just think that there's a
24 lot more we can do as a Commission.

25 MR. DUPLESSIS:

1 What about a part-time job
2 between Baton Rouge and New Orleans to get
3 started.

4 MR. PARNELL:

5 It's possible.

6 MR. POTEET:

7 That's a good suggestion.

8 Let's see. The next thing on the
9 agenda is a hearing at 10:30. I think we
10 have to close the meeting. So we have to
11 have a motion to adjourn for the meeting.

12 MR. BREWER:

13 I motion to adjourn.

14 MR. SMITH:

15 I'll second.

16 MR. POTEET:

17 All in favor, say "Aye."

18 (All "Aye" responses.)

19 MR. POTEET:

20 Do you want to take about a 10,
21 15 minute break?

22

23

24

25 (Meeting adjourned at 10:35 a.m.)

1 REPORTER'S CERTIFICATE

2
3 I, BETTY D. GLISSMAN, Certified Court
4 Reporter, Certificate No. 86150, in and for
5 the State of Louisiana, do hereby certify
6 that the Louisiana Used Motor Vehicle
7 Commission April 16, 2012 meeting was
8 reported by me in the stenotype reporting
9 method, was prepared and transcribed by me
10 or under my personal direction and
11 supervision, and is a true and correct
12 transcript to the best of my ability and
13 understanding.

14 This April 23, 2012, Baton Rouge,
15 Louisiana.

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22 _____
23 BETTY D. GLISSMAN, CCR
24 CERTIFIED COURT REPORTER
25