LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
FEBRUARY 15, 2010
BEGINNING AT 9:04 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

	-	Page	2			Page 4
1	APPEARANCES:			1	MR. ROBINSON:	
2				2	Would you lead us in the	
3	CHAIRMAN:		1	3	Pledge of Allegiance, Mr. Poteet?	
4	MR. GLEN ROBINSON		1	4	(PLEDGE OF ALLEGIANCE)	
5	VICE CHAIRMAN:			5	MR. ROBINSON:	
7	MR. JOHN POTEET			6	Good morning to everybody and	
8	1,110 1 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			7	welcome to everybody on this not state	
9	COMMISSIONERS PRESENT:		ŧ	8	holiday.	
10			1	9		
11	MR. TONY CORMIER		1		Ms. Kim, if you would call	
12 13	MR. RON DUPLESSIS MR. GEORGE FLOYD		1		roll, please.	
14	MR. KIRBY ROY		1		MS. BARON:	
15	MR. DOUGLAS TURNER		1		Glen Robinson?	
16			1		MR. ROBINSON:	
17			1		Present.	
18	REPRESENTING THE LOUISIANA USED MOTOR		1		MS. BARON:	
, ,	VEHICLE COMMISSION:		1		George Brewer?	
19	DODERTW HALLACK ECOURE		1	7	MR. BREWER:	ĺ
20	ROBERT W. HALLACK, ESQUIRE HALLACK LAW OFFICE		1	8	(No response.)	
ا " ا	13007 JUSTICE AVENUE		1	9	MS. BARON:	
21	BATON ROUGE, LOUISIANA 70816		2	0	Rhett Bourgeois?	
22	SHERI MORRIS, ESQUIRE		2	1	MR. BOURGEOIS:	
ŀ	ROEDEL, PARSONS, KOCH, BLACHE,		2		(No response.)	
23	BALHOFF & McCOLLISTER		2		MS. BARON:	
1 24	8440 JEFFERSON HIGHWAY, SUITE 301		2		Tony Cormier?	
24 25	BATON ROUGE, LOUISIANA 70809		2		Tony Commer:	
ļ	I	Page	3			Page 5
1	ALSO PRESENT:	-	-	1	MR. CORMIER:	
1 2	ALSO PRESENT.		- 1	2		
3	MC KIM DADONI		1	3	Present.	
1	MS. KIM BARON		i		MS. BARON:	
4	MR. DEREK PARNELL		. 4		Ron Duplessis?	
5	MR. BUTCH WRIGHT		1	5	MR. DUPLESSIS:	
6	MR. ROY HEBERT		i	6	Here.	
7			- 1	7	MS. BARON:	
8			8	J	George Floyd?	
9				9	MR. FLOYD:	
10			1		Here.	
11			1		MS. BARON:	
12			1	2	John Poteet?	
13			1	3	MR. POTEET:	
14			1	4	Here.	
15			1	5	MS. BARON:	
16			1	6	Kirby Roy?	
17			1		MR. ROY:	
18			1		Here.	
19			1		MS. BARON:	
20			2		Darty Smith?	
21			2		MR. SMITH:	
22			2		(No response.)	-
23			2		MS. BARON:]
24			2		Douglas Turner?	
25			2		Donglas Tuttiet:	ĺ
エノコ			14	J		

2 (Pages 2 to 5)

18 If you would turn with me to 19 Page 1, budget balance, we budgeted 20 \$1,120,508 for the year. Our year to date 21 balance is \$788,421.27. We have taken in 22 71.4 percent of our revenues that we have 23 budgeted for. Turn with me to Page 2. It 24 lists our expenditures. We budgeted 25 meetings in January. Travel, no 26 administrative travel for December. 27 In-state, one expense account paid for 28 August through December. In-state Board 29 members paid for Commissioners' January 20 travel expenses. Out of state conferences, 21 no money paid for conferences.		P:	age 6		Page 8
2 Here MS. BARON: 3 expenditures for the year. Page 3 is our 4 monthly comparison where we are comparing 4 monthly comparison where we are comparing 5 quorum. 5 quorum. 5 quorum. 5 quorum. 7 mank you. 7 mank you. 7 fanhk you. 7 for 2009, they were \$102,606.23. This is a 8 s19,000 difference in revenue comparison of between the two years. Page 4, it shows our 6 per for public comments. 9 between the two years. Page 4, it shows our 12 may 2010, \$864.95.32 versus January of 2009 which was \$137,766.16. This is a 8 s19,000 difference in expenses. Page 5 is a 12 may 2010, \$864.95.32 versus January of 12 may 2010, \$864.95.32 versus January of 13 may 2010, \$864.95.32 versus January of 2009 which was \$137,766.16. This is a 2009 which was \$137,766.16. This is	1	MR THRNER:		1	date expenditures are \$646 167 66 which
MS. BARON: 4 Mr. Chairman, we have a 5 quorum. 5 quorum. 6 MR. ROBINSON: 7 Thank you. 8 I believe there is no one 8 I breive there is no one 9 berre for public comments. 10 MS. BARON: 11 No. sir. 12 MR. ROBINSON: 12 MR. ROBINSON: 13 So we will move on to the 14 Agenda items for discussion, some things we red to vote on. 15 If you reviewed the minutes 16 If you reviewed the minutes 17 from last month, any comments or discussions 18 about those minutes? 19 (No response.) 10 MR. ROBINSON: 21 Does anyone want to make a 22 montion we approve the minutes? 23 MR. ROBINSON: 24 I make a motion we approve the minutes from the previous meeting. Page 7 1 MR. ROBINSON: 2 Second? 2 I make a motion we approve the minutes from the previous meeting. Page 7 1 MR. ROBINSON: 2 Second? 3 MR. ROBINSON: 4 I particular month. On Page 7, our total assentiatives receivable. There was a nextra pay period in that 1 particular month. On Page 7, our total assentiatives receivable. The only 2 there was an extra pay period in that 2 ment of the year. Page 3 is our monthly comparison where we are comparing of 2000 to January of 2010. Total revenues were \$83,344.36 compared to January of 2010. Total revenues were \$83,544.36 compared to January of 2010. Total revenues were \$83,544.36 compared to January of 2010. Total expenses for the comparison of January of 2010. Total expenses for the comparison of January of 2010. The approach of January of 2010. The approach of January of 2010. The approach of January of 2010. The revenues taken in for November or untent expenses for the three month of November or 2090 to January of 2010. The 17 revenues taken in for November or untent expenses for the three month of November or untent approach of January of 2010. The 17 revenues taken in for November or untent expenses for the three month of November or untent approach of January of 2010. The 17 revenues taken in for November or untent expenses for the three month of November or untent approach of January of 2010. The 18 salay page 31.50. December is \$				1	
4 Mr. Chairman, we have a good monthly comparison where we are comparing yourm. 5 quorum. 6 MR. ROBINSON: 7 Thank you. 8 I believe there is no one left of public comments. 9 here for public comments. 9 here for public comments. 10 MS. BARON: 11 No, sir. 12 MR. ROBINSON: 13 So we will move on to the left of discussion, some things we need to vote on. 14 Agenda items for discussion, some things we need to vote on. 16 If you reviewed the minutes need to vote on. 17 from last month, any comments or discussions about those minutes? 18 about those minutes? 19 (No response.) 19 MR. ROBINSON: 20 MR. ROBINSON: 21 Does anyone want to make a motion we approve the minutes from the previous meeting. 21 MR. ROBINSON: 22 motion we approve the minutes from the previous meeting. 23 MR. CORMIER: 35 MR. ROBINSON: 36 MR. ROBINSON: 37 MR. ROBINSON: 38 MR. CORMIER: 49 MR. ROBINSON: 40 MR. ROBINSON: 41 I make a motion we approve the minutes from the previous meeting. 40 MR. ROBINSON: 41 MR. ROBINSON: 42 I make a first and a second. 43 MR. CORMIER: 44 Second? 45 MR. ROBINSON: 46 I have a first and a second. 47 MR. ROBINSON: 48 MR. ROBINSON: 49 MR. ROBINSON: 50 MR. ROBINSON: 51 MR. ROBINSON: 52 MR. ROBINSON: 53 MR. ROBINSON: 54 MR. ROBINSON: 55 MR. ROBINSON: 56 MR. ROBINSON: 56 MR. ROBINSON: 57 MR. ROBINSON: 58 MR. ROBINSON: 59 MR. ROBINSON: 60 MR. ROBINSON: 61 MR. ROBINSON: 62 MR. ROBINSON: 63 MR. ROBINSON: 64 I have a first and a second. 65 MR. ROBINSON: 66 MR. ROBINSON: 67 MR. ROBINSON: 68 MR. ROBINSON: 69 MR. ROBINSON: 70 MR. ROBINSON: 71 MR. POTEET: 71 MR. POTEET: 72 MR. POTEET: 73 MR. ROBINSON: 74 MR. ROBINSON: 75 MR. POTEET: 75 MR. ROBINSON: 76 MR. ROBINSON: 77 MR. POTEET: 80 MR. ROBINSON: 81 Manuary of 2010, S86,495.32 of the three month of expenditures were made were the fines for the previous month due to three was an extra pay period in that the previous month due to three was an extra pay period in that the previous month due to three was an extra pay period in that the previous month due to three was an extra pay period in				i	
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16 If you reviewed the minutes 17 from last month, any comments or discussions 18 about those minutes? 18 (No response.) 19 (No response.) 20 MR. ROBINSON: 21 Does anyone want to make a 22 motion we approve the minutes? 23 If make a motion we approve the minutes from the previous meeting. 24 I make a motion we approve the minutes from the previous meeting. 25 Page 7 1 MR. ROBINSON: 26 AR. ROBINSON: 27 AR. ROBINSON: 28 Second? 29 AR. ROBINSON: 29 Second? 20 MR. ROBINSON: 30 MR. CORMER: 31 CD summary. It is unchanged for December. 4 Second. 4 The next CD maturity is on April 28 of 2010. 5 MR. ROBINSON: 5 MR. ROBINSON: 6 I have a first and a second. 7 All in favor? 8 (All "Aye" responses.) 9 MR. ROBINSON: 10 Anyone opposed? 11 (No response.) 12 MR. ROBINSON: 13 MR. ROBINSON: 14 The next CD maturity is on April 28 of 2010. 15 Page 9 is the accounts receivable. The only changes that were made were the fines for the payment — I'm sorry, in January for three payment — I'm sorry, from December through January — 13 None. 16 WR. ROBINSON: 17 Financial matters, Ms. 18 189,313,50. December is \$193,298.48, and and January it was \$83,519.61. Page 6, the operating expensions for the here month Jone and January operating expensions for the payment — I'm spril expenditures in January to the payment — I'm spril a particular month. On Page 7, our total assets are \$1,274,571.02. On Page 8 is our CD maturity is on April 28 of 2010. Page 9 is the accounts receivable. The only changes that were made were the fines for the payment — I'm sorry, in January for first year salvage of \$1,000. Page 10, salaries, regular salaries are \$16,301.62 and payment — I'm sorry, from December through January — 1 and payment — I'm sorry, from December through January — 1 at the payment — I'm sorry, from December through January — 1 at the payment — I'm sorry, from December and January — 1 at the payment — I'm sorry, from Dece				i	
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24 lists our expenditures. We budgeted 24 no money paid for conferences.	23		ļ	23	
	24				
	25				Under our operating services,

3 (Pages 6 to 9)

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1 2	printing, no printing expenses for January. Under insurance, yearly insurance premium	1 2	is significantly less than it was. So it is		
3	was paid in September. Auto maintenance,	3	something that we are keeping our eye on. We do have to amend the budget which is a		
4	paid \$417.90 more than previous months due	4	process not the budget, but the actual		
5	to regular maintenance. Other maintenance,	5	financials and it is something that we will		
6	stop payment and reissued two checks for	6	do in another month or two, but it is		
7	maintenance. Rental, rental pay for copier	7	something that we are watching. But it is		
8	for January. Dues and subscriptions, no	8	down from the beginning of this current		
9	dues or subscriptions paid in November.	9	period.		
10	Postage, refill of postage payment.	10	MR. TURNER:		
11	Telephone consistent with previous month.	11	Okay.		
12	Utilities, charges were \$389.81 more than	12	MR. ROBINSON:		
13	previous month. Miscellaneous, paid for	13	Any other questions on the		
14	direct deposit fees, bank service charges	14	financials?		
15	and criminal record checks. Supplies for	15	(No response.)		
16	office, regular office supplies paid in	16	MR. ROBINSON:		
17	January. Auto, paid January invoice for	17	Motion to approve these		
18	December charges. Professional services,	18	financials?		
19	auditing, no money paid for auditing.	19	MR. TURNER:		
20	Legal, paid for December invoice. Other,	20	I make a motion to approve		
21	paid the court reporter, CPA and IT services	21	the financials.		
22	for December invoices. Computer other	22	MR. ROY:		
23	charges, computer system consistent with	23	Second.		
24	monthly uses charges. Capital outlay, major	24	MR. ROBINSON:		
25	repairs, no major repairs needed for the	25	Second from Mr. Kirby Roy.		
	Page 11		Cocona nom Na. Kindy Key.	Page	1 2
_				raye	10
1	month of December.	1	Any other discussion?		
2	MR. ROBINSON:	2	(No response.)		
3	1 know this – you know, we	3	MR. ROBINSON:		
4	got this kind of late. I don't know if	4	All in favor?		
5	y'all had a chance to review it prior to the	5	(All "Aye" responses.)		
6	meeting today, but does anyone have any	6	MR. ROBINSON:		
7	questions? The big difference in January is	•	Anyone opposed?		
8 9	I guess it is twice a year you have those	8	(No response.)		
10	third three payrolls instead of two.)	MR. ROBINSON;		
11	Does anyone have any questions on the financials?	10 11	None.		
12	MR. TURNER:	12	Let me ask you this. Down		
13	The expenditures, the	13	towards the bottom of the Agenda we talk about the fee increase and projection on		
14	salaries, we had budgeted \$687,000 my	14			
15	eyes aren't too good. To prorate that out	15	revenues if we are able to pass the fee increase. Do you want to deal with that now		
16	through the rest of the year, it looks like	16	or just wait until later in the meeting,		
17	we are going to come in over \$700,000 in	17	does the matter to you?		
18	salaries.	18	MR. HEBERT:		
19	MR. ROBINSON:	19	No, sir.		
20	Well, you know, we are more	20	MR. ROBINSON:		
21	than halfway through this budget	21	We will just leave it where		
22	MR. TURNER:	22	it's at then.		
		23	MR. ROBINSON:		
	Seven montos	/ n			
23	Seven months. MR_ROBINSON:				
	MR. ROBINSON: and the salary level today	24 25	Legal matters, that would be this part will be Mr. Hallack.		

4 (Pages 10 to 13)

Page 14 Page 16 1 MR. HALLACK: are going to make a tremendous dent in that. 2 The Atchafalaya RV versus 2 What about Westside 3 3 Double Tree RV, that has been appealed by Wholesale, they never re-applied and they 4 4 the manufacturer to the First Circuit Court are not going to pay or does anybody -- he 5 5 of Appeals. The only thing that we are just decided to go out of business? What going to have to do is write a brief to the about filing a claim on that bond? 7 7 Court of Appeals and that will be probably a MS. BARON: 8 few months off. We will get a briefing We can do that. schedule after the record has been lodged by 9 MR. ROBINSON: 10 10 the Clerk of Court, but our only job will be Let's regress for just a to write a brief in support of the judge's 11 11 minute and go back to that page in your financials. It says accounts -- it is the 12 decision. 12 13 13 The last thing on the second to last page, accounts receivable on 14 Commission's case against New York Marine. hearings. Again, a tremendous amount of 15 15 the claims against the bond, we will be this is going to be paid now, but we have 16 receiving checks this week. I spoke to the 16 got AAA Used Auto Sales and Westside 17 vice-president this morning, Bill Haddings 17 Wholesale, Inc. 18 18 (phonetic), and he said that he was out sick What is — does anybody know 19 all last week and could not respond to me, 19 the current status? That would include you. 20 20 but they are just waiting for the checks to Mr. Hallack, on AAA Used Auto Sales. 21 21 go through processing, but he said we will MR. HALLACK: 22 have checks this week. 22 No. sir. I sure don't. 23 23 MR. ROBINSON: MR. ROBINSON: 24 24 And so you had told him we Anyone? 25 25 were ready to set a trial date? MS. BARON: Page 15 Page 17 1 MR. HALLACK: 1 I think we had filed a claim 2 Yes, sir. against this bond, but I will check on that 3 MR. ROBINSON: 3 to be sure. 4 4 So by next month this one MR. ROBINSON: 5 5 will be resolved? All right. And then let's 6 MR. HALLACK: get a claim filed on Westside Wholesale. 7 7 Yes, sir. But, you know, we need to get these resolved 8 8 MR. ROBINSON: and quit taking two or three years. So file 9 9 Thank you, Mr. Hallack. a claim, call the bonding company, whatever 10 10 MR. TURNER: we have to do, but, you know, we need to 11 What is the amount that we 11 prioritize collecting this money. 12 12 are going to get, do you know? And Paul Roy, he owes one 13 13 MR. HALLACK: final payment he didn't pay; is that 14 \$26,000 something, \$26,000 14 correct? 15 and some change. 15 MR. PARNELL: 16 MR. TURNER: 16 According to this, yes. 17 17 Okav. MR. ROBINSON: 18 MR. ROBINSON: 18 Well, let's get our money or 19 It will go a long way to --19 I suspect if it wasn't paid, it meant revoke 20 you know, back in your financial packet, it 20 or suspension of his license. Go back and 21 will go a long way to clearing out a lot of 21 look at the ruling of the prior Commission 22 that money owed stuff that we have been 22 and see and let's get our money. 23 having on the books for a long, long time. 23 MR. POTEET: 24 24 I mean, we have got \$38,000 in accounts I'm sure that's what it was. 25 receivable from hearings. So obviously we 25 If he paid, that he would, you know, be off

5 (Pages 14 to 17)

	Page 18		Page	e 20
1	the hook and if he didn't pay that we could	1	MR. DUPLESSIS:	
2	revoke his license or we would revoke his	2	Well, it is 350, but	
3	license.	3	MR. HALLACK:	
4	MR. ROBINSON:	4	No. It ought to be more than	
5	Did we reissue his license	5	that.	
6	and this money was still owed?	6	MR. DUPLESSIS:	
7	MS. BARON:	7	it should be in the	
8	He doesn't have a UD license	8	thousands.	
9	this year, but he is a salesman at another	9	MR. HALLACK:	
10	UD, but he doesn't have his own anymore.	10	Sundance Boats should be on	
11	MR. ROBINSON:	11	here, too.	
12	So we issued a sales license	12	MR. DUPLESSIS:	
13	and he hasn't paid.	13	Did we pass that on to the	
14	Can we revoke his sales	14	New Car Commission?	
1.5	license?	15	MR. HALLACK:	
16	MR. HALLACK:	16	No.	
17	After a hearing, yes, sir.	17	MR. DUPLESSIS:	
18	MR. ROBINSON:	18	But they were fined under our	
19 20	Let's get in contact with	19	Commission.	
21	him. MR. HALLACK:	20	MR. HALLACK:	
22		21 22	No. We received a letter	
23	Once you issue a license, you do have to go through the hearing process.	23	from the New Car Commission saying that they	
24	MS. MORRIS:	24	thought we had jurisdiction and authority over it.	
25	We should have flagged it in	25	MR. DUPLESSIS:	
	Page 19		Page	21
1		3		
1 2	the computer if anybody owes you any money that the license wouldn't be issued until it	1 2	Got it. I mean, that's	
3	is paid.	3	that is a pile of money. That's probably 50, 75, plus. Well, I think it's \$2,000 a	
4	MR. ROBINSON:	4	day or something like something just	
5	These other items, I know	5	bizarre.	
6	some of this is under appeal, but those	6	MR. HALLACK:	
7	three, you know, we need that we just	7	Correct. We are making	
8	talked about, AAA, Westside and Paul Roy	8	efforts to collect that.	
9	Auto Sales, we need to get those resolved.	9	MR. DUPLESSIS:	
10	MR. POTEET:	10	Well, it is not listed on the	
11	I think on Westside at one of	11	accounts receivable. So we are not working	
12	our meetings a while back, George Brewer	12	that account.	
13	discussed Westside, because he is over there	13	MR. ROBINSON:	
14	near him, and I think Westside actually owes	14	What are doing to do to	
15	George some money. He owes me some money.	15	collect that?	
16	He is not ever going to pay. So we might as	16	MR. HALLACK:	
17	well get on that bond right away.	17	It is on appeal right now to	
18	MR. DUPLESSIS:	18	the First Circuit. As you may recall, the	
19	Robert, whatever happened to	19	judge over in Covington ruled that we didn't	
20	our marine dealers that ran up such a big	20	have jurisdiction and authority over it.	
21	tab on the fines?	21	MS. BARON:	
22	MR. HALLACK:	22	On Sundance?	
23	They should probably be on	23	MR. HALLACK:	
24	here. You know, that would be Crownline	24 25	On Sundance, that's right. MR. ROBINSON:	
25	is on here.			

6 (Pages 18 to 21)

1 So we need to see why it is 2 not nthis list of receivables. 2 1 Have you talked to the 3 MR. HALLACK: 4 Correct. 4 We do have a State Licensing Board? I mean, we do have a State Licensing Board? I mean, we do have a State Licensing Board? I mean, we do have a State Licensing Board that 5 licenses all auctions. 5 licenses all auctions. 5 licenses all auctions. 6 MR. PARNELL: 8 licenses all auctions. 6 MR. PARNELL: 8 licenses all auctions. 6 MR. PARNELL: 8 licenses all auctions. 6 MR. PARNELL: 9 hm not sure what their — 10 work know, what their feeling is about this, 11 work provided auction shall obtain a license 13 motor vehicle auction shall obtain a license 14 for at least one permanent location, not 15 normally being its principal place of 15 business, and one additional location 16 license difficult in the state of the state of the number of locations in which the 18 auctions was held. That actually should be 24 changed, in my opinion. Each additional location license, chlerwise referred as to a 17 auction was held. That actually should be 24 changed, in my opinion. Each additional location license, and lust actually should be 24 changed, in my opinion. Each additional location license and just going any and everywhere 17 they want to go within the state. 1 believe 18 that it should be — it should state that 19 each additional location must meet all requirements of the difficult location. 17 my opinion, we have 2 been getting into a big situation with a lot of auctions that are actually using the 19 the			Page 22			Page	24
2 Have you talked to the 3 MR_HALLACK: 4 Correct. 5 MR_ROBINSON: 6 IAI right. Moving forward, 7 Item D under policy and procedure, 8 discussion of roving auctions. There is 9 something in your packet on that. 10 MR_PARNELL: 11 Yes. It should be Policy and 12 Procedure #92. If you look with me, a used 13 motor vehicle auction shall obtain a license 14 for at least one permanent location, not 15 normally being its principal place of 15 business, and one additional location 16 license, otherwise referred as to a 21 roving license, shall be required regardless 2 of the number of locations in which the 23 auction was held. That actually should be 24 changed, in my opinion. Each additional location must meet all requirements of the 25 been getting into a big situation with a lot 3 of auctions that are actually using the roving license as a way of actually getting 5 one license—one additional location. 10 Robert, can you— 11 MR_ROBINSON: 21 additional location must meet all requirements of the 26 that it should be—it should state that each additional location must meet all requirements of the additional location must meet all reviewed to the actually using the roving license as a way of actually getting 5 one license—one additional location. 10 Robert, can you— 11 MR_ROBINSON: 21 MR_ROBINSON: 22 MR_ROBINSON: 3 MR_PARNELL: 3 MR_PARNELL: 4 Have you talked to the licenses all auctions. 4 We do have a State Licensing Board that 5 licenses all auctions. 6 MR_PARNELL: 10 you know, the their recling is about this, but Ifm — obviously, I'm licensed under 11 that you are not allowed to do that 11 under the LAIB. You are not allowed to bust 12 the hat you are not allowed to be bust 13 think that you are not allowed to bust 14 under the LAIB. You are not allowed to bust 15 roam around the state. You have to bave 16 specific locations if you are an auction 17 house, per se. If you are just an 18 auctions from any location that are actually using the roving license, after You are under the LAIB. 19 additional location in the state	1	So we need to see why it is		1	MR. POTEET:		
3 MR. HALLACK: 4 Correct. 5 MR. ROBINSON: 6 MR. ROBINSON: 7 Item D under policy and procedure, 8 discussion of roving auctions. There is 7 something in your packet on that. 7 Item D under policy and procedure #92. If you look with me, a used 12 Procedure #92. If you look with me, a used 13 motor vehicle auction shall obtain a license 14 motor vehicle auction shall obtain a license 15 business, and one additional location 16 business, and one additional location 17 licensed if it intends to host or operate 18 auctions from any location other than his 18 permanent location, 10 my opinion. Each additional 20 location license, otherwise referred as to a 20 moverance 21 moverance 22 of the number of locations in which the 24 changed, in my opinion. Each additional 25 location must meet all requirements of the 24 changed, in my opinion. Each additional 25 location must meet all requirements of the 26 what 27 moverance 28 moverance 29 moverance 29 moverance 20 moverance 20 moverance 21 moverance 22 moverance 23 moverance 24 moverance 25 moverance 26 moverance 27 moverance 28 moverance 28 moverance 29 moverance 20 moverance 2	2			2			
5 MR. ROBINSON: All right. Moving forward, 6 MR. PARNELL: 7 Right. 7 Right. 7 Right. 7 Right. 8 MR. PARNELL: 8 MR. PARNELL: 7 Right. 7 Right. 8 MR. PARNELL: 8 MR. POTEET: 9 Fage 2	3	MR. HALLACK:		3		=	
6 MR PARNELL: 7 Item D under policy and procedure, 8 discussion of roving auctions. There is 9 something in your packet on that. 10 MR PARNELL: 11 Yes. It should be Policy and 12 Procedure #92. If you look with me, a used 13 motor vehicle auction shall obtain a license 14 for at least one permanent location, not 15 normally being its principal place of 16 business, and one additional location 17 licensed if it intends to host or operate 18 auctions from any location other than his 19 permanent location. Only one additional 20 location license, otherwise referred as to a 21 roving license, shall be required regardless 22 of the number of locations in which the 23 auction was held. That actually should be 24 changed, in my opinion. Each additional 25 location must meet all requirements of the 2 been getting into a big situation with a lot 2 of succious that are actually using the 4 roving license as a way of actually getting 5 one license one additional location 6 license and just going any and everywhere 7 they want to go within the state. I believe 8 that it should be—it should state that 9 each additional location 10 fauctions that are actually using the 11 roving license as a way of actually getting 12 mR. ROBINSON: 13 So it actually wouldn't be a 14 roving license and every location and each 15 mR. PARNELL: 16 Right. Do away with the 17 roving license and every location and each 18 location must meet the requirements of the additional location must meet all 19 requirements of the additional location 10 requirements of the additional location 11 Robert, can you — 12 MR. ROBINSON: 13 So it actually wouldn't be a 14 roving license and every location and each 15 roving license and every location and each 16 location must meet the requirements of the additional location must meet the requirements of the additional location 15 requirements of the additional location 16 license and just going any and everywhere 17 they want to go within the state. I believe 18 that it should be—it should state that 29 each addition	4	Correct.		4			
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17 roving license and every location and each17 MR. POTEET:18 location must meet the requirements of the18 In Texas where we — my19 second location.19 partners and I have a business, we have a20 MR. DUPLESSIS:20 lot of problems with this. You know, we21 That includes a fee a21 have done a lot over there to stop that.22 licensing fee?22 But the problem you have, of course, is from23 MR. PARNELL:23 the customer's standpoint, the car dealers,							
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22 licensing fee? 23 MR. PARNELL: 22 But the problem you have, of course, is from the customer's standpoint, the car dealers,					•		
23 MR. PARNELL: 23 the customer's standpoint, the car dealers,					•		
25 location. 25 something goes wrong and where is it? He							

Page 26 Page 28 can't find the auction because they don't anyway. We wouldn't have to exempt them. 2 have an established place of business. 2 MR. DUPLESSIS: 3 3 MR. PARNELL: Right. We will just - yes, 4 What has been happening is 4 sir. 5 5 that the -- specific to the RVs, the FEMA MR. WRIGHT: 6 trailers that are out there, what has been The state auctions, you know, 7 7 going on, they go from one area for three people have a state and the auctioneers Я days, have a huge sale, then they leave. travel to them. They have vehicles and 9 Then, people try to go back and get in touch whatever, fleet services, things like that, 10 with them and they are not able do so to a 10 vou know. 11 large extent. And I really believe that 11 MR. DUPLESSIS: 12 this policy and procedure should be changed 12 We are going to have to look 13 to not allow them to be able to rove around 1.3 into them all and we are going to have to 14 the state. Now, if that should be a look into the licensing board because that 15 resolution, I'm not sure. 15 is correct and we have never paid much 16 MR. POTEET: 16 attention. 17 I think so, too, because 17 MR. POTEET: 18 certainly it allows for, if you will excuse 18 Yes. I think you need to 19 the term, carpet bagging. I mean, people 19 contact them and see how --20 can just come in and set up an auction on a 20 MR. ROBINSON: 21 street corner and do it, and then the next 21 So what you are asking for 22 thing you know, they are gone, you can't 22 now would be a vote of the Commission to 23 figure out who did what or --23 suspend this? 24 MR. ROBINSON: 24 MR. HALLACK: 25 25 So what we have is a licensed Repeal it. Page 27 Page 29 UD dealer who is jumping out somewhere --1 MR. PARNELL: 2 2 MR. PARNELL: Or repeal the roving license. 3 They have a licensed UD and 3 MR. DUPLESSIS: 4 4 auction. They have the auction license and We can write -- you know, if 5 5 a UD license with us, but it is only at one we can do it as kind of a clean up thing --6 6 established place of business and what they MR. PARNELL: 7 were doing was, they would go have auctions 7 That's more what this is at various places in the state but using because it is not in the statute anywhere 9 9 that license from their primary location about a roving license. This is just a 10 versus where they are going to have these 10 policy and procedure. 11 auctions. 11 MR. ROBINSON: 12 MR. DUPLESSIS: 12 Yes, which is why we can deal 13 13 You know, the only thing I with it. 14 would agree with you, and we are going to 14 MR. PARNELL: 15 start – we are going to write -- we are 15 Sure. 16 going to have to write this pretty quick 16 MR. ROY: 17 because I think it is legitimate. The only 17 Is this a regulation dealing 18 thing I would say is you would want to 18 with the auction or is it dealing with the 19 probably exempt municipalities because they 19 FEMA trailers? I'm not sure. 20 are pretty we well put. But, you know, when 20 MR. PARNELL: 21 they do their car and police and other fleet 21 Well, it is dealing with 22 auctions, they probably don't want to tote 22 second locations. All of that is all 23 them all out there. So we exempt them. 23 encompassing. 24 MR. ROBINSON: 24 MR. ROY: 25 25 They are not regulated by us The auction itself?

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Page 30 Page 32 would be reasonable for them to say they 1 MR. PARNELL: 2 We have primary location, 2 could secure a second license under their 3 master license for a period of maybe three 3 ves. Primary location, you have your 4 days or something like that. 4 guidelines and requirements for having that 5 5 location. Second location should be the MR. ROBINSON: б same as the primary location with a \$100 But that's not something that 7 7 we regulate. fee. It should not be that you can move 8 8 around the state where you want and set up MR. PARNELL: 9 Yes. I don't think --9 and sell for a weekend and then leave. 10 1.0 MR. HALLACK: MR. ROBINSON: 11 We only regulate UD dealers 11 If I might explain legally. 12 and auction houses. If a company wants to 12 if you repeal this policy, what you are in 13 sell fleet vehicles --13 effect doing is saying every location that 14 you operate a business from, you must meet 14 MR. PARNELL: 15 On their property. all of the licensing requirements for that 16 MR. ROBINSON: 16 location. You have to have a permanent 17 -- we would have no 17 business there. You have to have a sign 18 jurisdiction in that type of sale --18 there. You have to have a land phone there. 19 MR. HALLACK: 19 So we had a practice years ago that we would 20 20 allow certain auctions to rove around the They are exempt. 21 state and all they would have to do is get a 21 MR. ROBINSON: 22 -- unless they take them to 22 rider on their insurance. 23 23 an auction house. Then, we would have MS. BARON: jurisdiction because they are in control of 24 He did it. He did an actual 24 25 the auction. 25 address change. He would get the bond to Page 33 Page 31 MR. DUPLESSIS: 1 send in an endorsement changing his address 2 That would be correct. Then, 2 for those few days and the insurance would 3 change his address for those few days 3 what would be the difference in the FEMA trailers from a public standpoint? It was 4 wherever he was going to be. 5 5 public surplus being sold, it was my MR. HALLACK: 6 understanding. 6 So by repealing this 7 7 provision, he has to meet all of the MR. HALLACK: 8 8 licensing requirements for each location. No. 9 9 MS. BARON: MR. DUPLESSIS: 10 And he did not have a phone 10 No? 11 because he would -- you know, it was a 11 MR. ROBINSON: 12 We have many -- they are permanent thing. He was just allowed to 12 13 showing up everywhere and we have UD dealers 13 sell from there. 14 that are buying them in the hundreds at a 14 MR. ROBINSON: 15 So we can do that by a simple 15 time. 16 MR. DUPLESSIS: 16 motion, a second and a majority vote if 17 17 that's what we choose to do. Really. MR. HALLACK: 18 18 MR. DUPLESSIS: 19 Well, you know, let me say 19 For instance, Henderson Auctions, they bought 21,000 FEMA trailers 20 this. How is -- I would probably offer a 21 from GSA, the government. They are bringing 21 compromise from a free enterprise 22 standpoint. If you have a company like, I them to Louisiana and selling them at don't know, Coca-Cola or a larger fleet, and 23 auctions here. 23 24 they wanted to hold an auction on their lot, MR. ROBINSON: 24 25 What we are trying to do is they probably could secure - I think it

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	Page 34			Page	36
1	get our hands look, we have a small	1	In packages of how many		
2	dealer up in north Louisiana. We are	2	hundreds of trailers?		
3	talking about a parish with a population of	3	MR. PARNELL:		
4	25,000 just bought 500 of them. I mean,	4	A hundred thousand, a		
5	these things are going to be bountiful and	5	hundred, three thousand they were selling		
6	we are going to - it's going to be an	6	them.		
7	ongoing problem. So what Derek is trying to	7	MR. ROBINSON:		
8	do is take out a loophole to where at least	8	You could just by a hundred		
9	if somebody wants to sell these, they are	9	thousand of them.		
10	· ·	10	MR. DUPLESSIS:		
11	all that everyone else has to meet and	11	A hundred thousand trailers?		
12	they just can't blow into town on a weekend	12	MR. PARNELL:		
13	and sell 40 or 50 of them. Then, roll out	13	Travel trailers. The		
14	and nobody knows how to contact them.	14	manufacturer, they were selling them like in		
15	MR. DUPLESSIS:	15	huge lots and people were bidding on them.		
16	That's not a problem.	16	Some of them had like 14 people bidding on		
17	MR. ROBINSON:	17	them. So my I'm thinking that may be a		
18	So, again, we can do this at	18	couple some people are going in together		
19	the will of the Commission if somebody wants	19	and just buying them up and are just going		
20	to make a motion.	20	to sell them, which is killing the RV		
21	MR. DUPLESSIS:	21	market, but that's just free enterprise.		
22	l will so move.	22	MR. ROBINSON:		
23	MR. ROBINSON:	23	But at least now as far as		
24	To repeal this	24	the folks that we regulate, you know, they		
25	MR. DUPLESSIS:	25	will have to deal with it in terms of		
	Page 35			Page	37
1	To repeal the roving	1	everybody else. They just can't try to dump		
2	provision in the law.	2	them somewhere in a quick two or three day		
3	MR. POTEET:	3	sale.		
4	I second that.	4	All right. Item #5 Executive		
5	MR. ROBINSON:	5	Director's report.		
6	First and a second.	б	MR. PARNELL:		
7	Any other discussion, any	7	I just wanted to give you		
8	questions?	8	guys an update of what has been going on for		
9	(No response.)	9	the past month. One of the main things that		
10	MR. ROBINSON:	10	has been going on, the FEMA trailer		
11	All in favor?	11	auctions. Ever since the federal government		
12	(All "Aye" responses.)	12	has put those trailers out in the market, we		
13	MR. ROBINSON:	13	have been getting a lot of phone calls and a		
14	Anyone opposed?	14	lot of e-mails, not happy with them. A lot		
15	(No response.)	15	of people are not happy with what is going		
16	MR. ROBINSON:	16	on. It is mainly coming from the RV dealers		
17	The motion passes.	17	because it is kind of it is really		
18	Actually, Derek and I had	18	hurting their market. It is hurting their		
19	talked about this because of some problems	19	income, but we really don't regulate that.		
20	that were jumping out and some of the you	20	One – Robert Hallack and I,		
21	found it online somewhere where the	21	we went and met with the Louisiana		
22	government is selling them online?	22	Manufactured Housing Association, which is		
	-	\sim			
23	MR. PARNELL:	23	right up the way, and they were just voicing		
	-	23 24 25	a lot of their concerns. Especially, they were voicing concerns about the safety		

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Page 38 Page 40 are a pretty large international -- well, a issues of them because in their thoughts 2 2 that originally when GSA, the government, national company and there had to be put them out there, they were actually only something that they were doing out there in for salvage. People are not wanting to live the market that would actually help us out a in them. They are not livable. They are lot and what we found out, there is this new uninhabitable, but there's -- a lot of program that they have come out with that is 7 7 individuals were buying to do just that, called net -- dot-net, and they actually did 8 8 a walk-through with us. We actually got a live in them and/or have camps for hunting 9 purposes. chance to sit down and log in with them and 10 Another situation that arose they brought us through the entire process 11 of online renewals, which will help out the 11 was the titles. I have spoken with some 12 Commission's office a great deal moving into 12 representatives from the Office of Motor 13 Vehicles and they explained to me that if 13 the next year's renewal process, because it 14 the title is an SF-97 title from the 14 is my goal not to be in the same situation 15 government, if it is stated that it was 15 which we were last year. Personally, our 16 renewal process is that you can only pay 16 uninhabitable with a salvage title, that 17 they would not title it. The person that I 17 online. You still have to submit all of spoke with, she basically stated that she 18 your proper documentation here as hard 19 copies and just going through the process, 19 hasn't seen any of those titles lately. 20 Initially when they first went out in the 20 looking at a lot of legal ramifications and 21 market, there was a lot of those. Now, 21 we find that a lot what we are requiring is 22 everything that is coming out, all of the 22 not actually in the statute. It is not 23 23 titles are clean and they are putting titles actually what we need to actually move 24 on those actual vehicles. 24 forward with doing an actual legitimate 25 Additional location and online process. So right now we are just Page 39 Page 41 roving license, we just discussed that. viewing many of those processes. We have 2 Another situation that has 2 another call set up. Is it next week or 3 3 been going on, at the last meeting we talked this week? This week where we are going to 4 4 about CAVU. We want to have some meetings look more into how it relates, how it 5 5 affects our accounting department. We are with CAVU representatives just to find out 6 exactly in that system what we need. I just kind of trying to compile the 7 7 wanted to voice some concerns that I had information right now to understand exactly 8 8 that it is not performing what we need it to what CAVU is not doing for us that we are 9 9 do. So we met with them on - over a phone paying for. 10 conference. We actually had two phone 10 The next item is about the conferences. The first one, we voiced a lot 11 11 fleet cars out --12 MR. ROBINSON: 12 of concerns about what is going with it, why 13 aren't we having our updates as we should, 13 That's the first part of the 14 because we are a year and four months behind 14 IT evaluation — 15 15 on updates, and that stems from in the past MR. PARNELL: 16 a lack of communication. What I set up now, 16 Yes. 17 MR. ROBINSON: 17 we have meetings every month, so we can 18 discuss our concerns to find out exactly 18 -- that we had decided to not 19 19 what procedures that we are doing in a try to work on until after the renewal 20 different way that they may be able to help 20 process. So this is the infancy of that. 21 21 us out to curtail some of our issues, the MR. PARNELL: 22 problems that we were having. 22 I think it was a very 23 23 During that first phone call, productive call. We really addressed a lot of issues and concerns that I had coming 24 we set up a time where we wanted to look at 24 25 into it. some of the online renewal processes. They

Page 42 Page 44 MR. ROBINSON: 1 the paperwork ready to actually move forward 2 So they do offer online 2 with property assistance. So I will try to 3 3 renewals? set up something either at the end of this 4 MR. PARNELL: week or early next week for them to come 5 Yes. 5 pick them up, the ones that we can't drive. 6 MR. ROBINSON: 6 The removal of vacant 7 7 And I guess they do it for positions, as we stated last meeting, we had 8 other state agencies? В 29 vacant positions on our books and we have 9 MR. PARNELL: gone through with Civil Service and we 10 A large amount of large state 10 submitted all of the proper documentation to 11 agencies doing - of course, this system is 11 them and they have actually told us that it 12 actually using their online process as well. 12 is done at our next meeting, in our next 13 MR. ROBINSON: 13 report, that we are going to receive, that 14 My concern, Ron, I think you 14 we won't have all of those positions out 15 15 and I talked about it, is that probably there. there is a lot to this system that we don't 16 16 So that concludes the report. 17 know anything about. So, you know, we want 17 MR. ROBINSON: 18 18 to go down that avenue first, because it Any questions? 19 would certainly be a lot cheaper than having 19 MR. TURNER: 20 to buy new software. 20 What are we doing with these 21 MR. DUPLESSIS: 21 fleet cars, are they going to be get picked 22 22 Well, my concern was dealing up and taken away? 23 23 with -- and I think Keith Horton, our IT MR, PARNELL: 24 24 provider, especially when we were trying to Louisiana Property 25 get everything to Mr. Hebert in the Assistance, they are going to pick them up. Page 43 Page 45 transition because he didn't seem to have a Well, they are going to auction them off and 2 2 connection with us, and I think Derek has we should be able to get something. 3 talked to him and assures me that he is the 3 MR. TURNER: 4 qualified guy for the job, that may be our 4 Like a government auction? 5 5 communication process has been exceedingly MR. ROBINSON: б poor, but CAVU is capable and Keith Horton That's how we have to dispose 7 is probably capable with the right 7 of them. That's the way we have to do it. 8 8 leadership and direction. MR. TURNER: 9 9 MR. ROBINSON: Are we going to get someone 10 But we have got to start 10 to get them running before we do that? 11 pushing online renewals. 11 MR. ROBINSON: 12 MR. PARNELL: 12 We probably need to. I will 13 The next item is the status 13 get -- we will get together on that because 14 of the fleet cars. My goal is to have all 14 they won't do anything. They will just sell 15 of the fleet cars gone. There were eight 15 them as a unit. They won't start --16 out front and six of them I wanted to be 16 MR. TURNER: 17 17 gone because we don't need them sitting out They are probably not running 18 there. They have been sitting there since 18 because they haven't been started in so 19 July of '09 and I have tried to start them. 19 long. 20 I tried to jump them. It is only two of 20 MR. DUPLESSIS: 21 them I was able to get started. The rest of 21 Correct. 22 them just – the tires are flat, but we need 22 MR. ROBINSON: 23 to get them off the property. There is no 23 Well, there is only one way 24 need for them to just sit there and continue 24 we can dispose of them and that's the way. 25 to decay. I have gone through and have all 25 Any other questions or

12 (Pages 42 to 45)

Page 46 Page 48 1 MR. ROBINSON: comments from anyone on any of those issues? 2 2 (No response.) When you finish that, prepare 3 3 it, would you please get it mailed to every MR. ROBINSON: 4 All right. Committee Commissioner and give them an opportunity to 5 5 read it and see exactly what is in there, so reports, Legislative Committee. 6 6 they have a chance for their input and, I MR. DUPLESSIS: 7 7 mean, we can have that to them and - prior I think we are pretty much 8 to next month's meeting, correct? 8 ready to go to print with our proposal with 9 9 MS. MORRIS: the exception of Mr. Butch Wright submitted 10 We should. 10 a nice looking drafted on curbstoning, which 11 I think needs a little refining and review. 11 MR. ROBINSON: 12 12 We did pull our insurance requirement And we will get it in 13 everyone's hands, give them an opportunity 13 omitting the words "garage liability". I got a call from Fred Burkette, the head of to see exactly what it is. 14 15 the towing and recovery bureau, and he said 15 MR. DUPLESSIS: 16 We do have to find authors 16 that they were filing suit just because of an incident -- several instances of 17 for that -- for these bills. We have to 17 find authors. 18 companies selling unspecified insurance and 18 19 not including the proper insurances. So we 19 MS. MORRIS: 20 are going to pull that. But I think 20 We will have, I think, two 21 bills, one for the fee because it requires 21 otherwise we are ready to, I think, go to 22 two-third passage, and then everything else 22 press. We do have, I think, some 23 justification we need to do on our fee in another bill unless anyone has a reason 24 to split anything out of the other bill, but 24 increases. Do we have -- are we going to 25 I think it would be wise for the Commission 25 write -- we are going to write a case for Page 49 Page 47 the fee increases over the next couple of to try to work with the committee chair and 2 the committee staff to get at least the 2 years to submit to the --3 cleanup bill. Most of the agencies, you 3 MR. ROBINSON: 4 We have got a lot here on the know, work with the committee staff that 5 they are under that jurisdiction, and then fee increase when you finish. б б you will get some more help from the staff MR. DUPLESSIS: 7 7 and the staff will be more familiar with I think that pretty much 8 concludes --8 your legislation. So if we could try to 9 9 submit the cleanup bill, at least through MS. MORRIS: 10 the committee process, I think that would be 10 I have -- the one technical helpful to the Commission long run. 11 11 change that was discussed, Derek had asked 12 me whether it was necessary to have the 12 The fee bill is a little bit 13 different item because there are some 13 application -- licensees submit their 14 Legislators that are not going to handle a 14 application and a notarized statement and it 15 fee bill. So we have to find somebody that 15 does say in 791, which is in your packet, 16 is willing. 16 that it has got to be verified by oath or 17 17 affirmation of applicant. That can be MR. DUPLESSIS: 18 removed from the law because it is a 18 Butch, would your guy be 19 willing to handle the fee bill? 19 violation to make a material 20 MR. WRIGHT: 20 misrepresentation on your application. So 21 it would be easier for your licensees to not 21 I'm not sure, Ron. I would 22 have to talk to him. 22 have to go before a notary and it might 23 23 assist with your eventual online paperwork MR. ROBINSON: 24 submission. We can add that to our clean up 24 The fee bill will start in 25 the House or the Senate? 25 legislation.

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	Page	50	Page 52
1	MS. MORRIS:	1	as a matter of fact, because the session
2	It has to start in the House.	2	starts a week after we meet, I think.
3	MR. ROBINSON:	3	MS. MORRIS:
4	Can we get Mert Smiley to	4	Correct. And the pre-filing
5	handle it?	5	deadline is that same week.
6	MR. PARNELL:	6	MR. ROBINSON:
7	l spoke with Mert Smiley	7	But the Commission has to
8	MR. ROBINSON:	8	first vote to approve that package, right?
9	Let's just skip discussions,	9	MS. MORRIS:
10	l think, about individual	10	
11	MR. DUPLESSIS:	11	
12	Okay.	12	
13	MR. ROBINSON:	13	
14	senators or	14	
15	representatives and we will just not finger	15	\boldsymbol{c}
16	anybody out exactly. We will go to work on	16	,
17	finding sponsors of that.	17	saw there was a lot of discussion about the
18	MS. MORRIS:	1.8	bond and raising it and how to raise it and
19	It might be easier to find a	19	how to determine who pays what. Did we have
20	sponsor once we have a written justification	20	an outcome on that, where are we at with
21	as to why we need this, too, because that	21	
22	will give them some ability to evaluate the	22 23	MR. DUPLESSIS:
24	bill.	23	I think the agreement in the
25	MR. ROBINSON: I will say this, I personally	25	meeting was \$35,000. MR. TURNER:
	Page	51	Page 53
1	have already met with four elected officials	1	But how do we determine that?
2	in my area. What I took them was the	2	Because it was talked about it was going to
3	handout we gave you last month that showed	3	be small dealers shouldn't have to have that
4	the was it I think it was for six	4	high a bond.
5	months. It showed the drop in revenue and	5	MR. ROBINSON:
6	the drop in expenses and where the last 90	6	Correct.
7	days this Commission had cut expenses and	7	MR. POTEET:
1	averaged actually 46 47 percent. 1 mean,	٠ ا	We are going to have three
9	average one month was 49, and all four that I met with agreed to support the fee	9 10	tier – MR. ROBINSON:
111	increase because of what we have already	11	We did a two tier. It was
12	done. And, you know, it is going to take	12	125 sales.
13	involvement from the Commissioner's to some	13	MS. BARON:
14	extent to get that type of information out	14	I think it was 125.
15	there. You know, we have to show them we	15	MR. TURNER:
16		16	It was 125.
	are not that spendificus and we need more	1 - 0	
	are not just spendthrifts and we need more	17	It might make more sense to
17	money. We have to demonstrate that we have	17 18	It might make more sense to go by the dollar amount rather than the unit
17 18	money. We have to demonstrate that we have we have done a tremendous job in	18	go by the dollar amount rather than the unit
17 18 19	money. We have to demonstrate that we have we have done a tremendous job in financial restraint, but yet this is still	18 19	go by the dollar amount rather than the unit amount. Because where you get in trouble
17 18 19 20	money. We have to demonstrate that we have we have done a tremendous job in financial restraint, but yet this is still where we are at. So if you will get that	18 19 20	go by the dollar amount rather than the unit amount. Because where you get in trouble with the bonds, dealers that go bad and owe
17 18 19	money. We have to demonstrate that we have we have done a tremendous job in financial restraint, but yet this is still where we are at. So if you will get that out to everybody and, you know, again we are	18 19	go by the dollar amount rather than the unit amount. Because where you get in trouble with the bonds, dealers that go bad and owe all the sales tax money, which is going to
17 18 19 20 21	money. We have to demonstrate that we have we have done a tremendous job in financial restraint, but yet this is still where we are at. So if you will get that out to everybody and, you know, again we are going to need help from everybody, but by	18 19 20 21	go by the dollar amount rather than the unit amount. Because where you get in trouble with the bonds, dealers that go bad and owe all the sales tax money, which is going to be a lot more on the higher priced cars.
17 18 19 20 21 22	money. We have to demonstrate that we have we have done a tremendous job in financial restraint, but yet this is still where we are at. So if you will get that out to everybody and, you know, again we are going to need help from everybody, but by next month we should be in a position	18 19 20 21 22	go by the dollar amount rather than the unit amount. Because where you get in trouble with the bonds, dealers that go bad and owe all the sales tax money, which is going to be a lot more on the higher priced cars. For instance, my dealership, \$350,000 to
17 18 19 20 21 22 23	money. We have to demonstrate that we have we have done a tremendous job in financial restraint, but yet this is still where we are at. So if you will get that out to everybody and, you know, again we are going to need help from everybody, but by	18 19 20 21 22 23	go by the dollar amount rather than the unit amount. Because where you get in trouble with the bonds, dealers that go bad and owe all the sales tax money, which is going to be a lot more on the higher priced cars.

14 (Pages 50 to 53)

Page 54 Page 56 1 MR. ROBINSON: sales, with the sales he reported, but he is 2 2 going to have to be required on his But, you would be in the 3 3 application to report sales. So we might higher class -4 MR. TURNER: have to have a printing or a software change to accommodate that. 5 Right. 5 6 6 MR. ROBINSON: MR. ROBINSON: 7 7 I don't know if that -- because of the amount of 8 8 necessarily is a better way or not. I mean, sales. 9 MR. TURNER: it is certainly a different way to look at 10 10 Right. 11 MR. ROBINSON: 11 MR. TURNER: 12 12 Well, it is something we have What we are trying to do is 13 to determine now or no? 13 just keep the really mom and pop operator 14 from having to step up to the bigger bond. 1.4 MR. DUPLESSIS: 15 15 That's when we came up with the 125. It Pretty much. 16 16 would seem it would be harder to report --MR. ROBINSON: 17 17 it would be easier to track the number of Yes. We need to determine 18 18 vehicles you sell, but we need to even watch because we -- what is going to be in that 19 package in terms of the bond? 19 the definition on that, retail sales, 20 MS. MORRIS: 20 wholesale, you know, things that -- to me it It would be the greater 21 is retail sales. 21 22 amount of the bond tied to the number of 22 MR. TURNER: 23 vehicles unless we come up with another 23 I was just thinking if you went off like their last year's tax return, 24 method that's based upon the gross amount of 25 that is going to show their gross sales. 25 money that you are taking in on retail Page 55 Page 57 You could have a dollar amount there. 1 sales. 2 2 MR. ROBINSON: MR. ROBINSON: 3 3 Well, there could be a large What's your thought on that? 4 4 MS. MORRIS: discrepancy. You know, you could be a small 5 5 dealer that maybe just sells pricey imports I guess I see the point --6 and only sell four or five cars a month, Mr. Turner's point that you can sell less 7 7 but, you know, do a tremendous amount of vehicles but be in the same monetary В category, and then the risk is really tied sales in terms of if you look at the sales 9 not to the number of vehicles but to the price of it. What we were trying to do is 10 -- again, the guy that is selling four, six, 10 amount of sales tax that's owed or the 11 eight cars a month, you know, to give some 11 amount of claims that could be against. You 12 protection to him that his licensing fee 12 could sell two high priced vehicles and 13 really have the same amount of claim against 13 wouldn't go up and in addition to that his 14 bonding fee go up. 14 you as for lower priced vehicles. I think 15 15 that is what Mr. Turner is saying. And MR. TURNER: 16 I understand that. I agree 16 that's true, we have to implement something 17 17 that we can police and if we -- if it is as with that. I just was trying to see the 18 right remedy and how to police it in order 18 easy to get that information, I guess it 19 to set it up. 19 wouldn't matter. It is a little bit more 20 MR. DUPLESSIS: 20 involved, I would think, for the 21 21 The remedy would be on his investigators. 22 tax log that he has to submit every month 22 MR. ROBINSON: 23 To look at dollar value than 23 for retail sales, and then that's how our 24 just units? 24 investigator could go out and check to see 25 what he sold and be commensurate with the MS. MORRIS:

15 (Pages 54 to 57)

Page 58 Page 60 1 Right. Because to me the didn't work the cases quickly and timely 2 units should almost be tied to your 2 enough, that we let a number of non-paid and 3 3 temporary tags, too, went you have several COs and delivery of licenses, we let that 4 thinking that you can check to see -lapse. So that's how they built and I think 5 5 MR. ROBINSON: the negotiations went on afield. If we 6 Yes. A lot of folks, they could correct that here in the office. I 7 7 don't even pay for a temporary tag. But, I think that would limit our exposure as the 8 8 mean, most -- obviously, most do, but complaints come in, that people aren't 9 9 getting their tags and you have got to pay especially this time of year, a lot of folks 10 won't spend the extra money to buy 60 day 10 the tax to get the tag. So I think that's 11 11 -- you know, that concern would probably be The reason we looked at the 12 12 addressed with proper administrative 13 number of units is, again, the traditional 13 procedures. mom and pop guy is not selling \$30,000 to 14 MR. ROBINSON: 15 \$40,000 cars. You know, they are selling So, I mean, what does the 15 16 16 the \$4,000, \$8,000, \$9,000 car, by and Commission want to do? We can look at doing large. I guess where -- the number of units it in some type of annual sales volume or 17 18 is where that came from and that's not -18 doing it with a number of units. I mean -19 MR. POTEET: 19 again, the smaller dealer is not the one 20 20 that's really caused a lot of anxiety in a I think that the 21 transactions, you are going to have more 21 community when they go out of business. It is the larger volume dealers that have left 22 exposure the more transactions you have. 23 so many consumers without sales tax paid or 23 That's the way I would look at it. I mean, 24 I agree with Doug's point that there could 24 trade in paid or what-have-you, paid off, 25 be, you know, some dollar amount that makes 25 that is. So I don't -- I think, you know, Page 59 Page 61 we went with the number of units and maybe a difference in some cases, but generally I 2 2 just stay with that. think that, you know, people are causing 3 MS. MORRIS: 3 problems or causing bigger problems, because 4 4 they are selling more and more cars, not You could have two options. 5 You could have the number of units or gross necessarily more expensive cars. So I would 6 6 prefer to see it on a number of transactions sales exceeding a number. 7 7 as opposed to dollar amount. MR. ROBINSON: 8 8 MR. TURNER: That wouldn't be my 9 9 preference. I would rather have gross sales I think that's a fine way to 10 10 or number of units, but not both. do it. I just wanted to bring up an 11 MR. DUPLESSIS: 11 alternate, because we had talked about it 12 12 last month when I wasn't here. I mean, we are only talking 13 13 about \$10 per \$10,000, isn't it, or \$10 per MR. ROBINSON: 14 14 \$1,000. So if you have a \$35,000 bond, it You guys are okay with 15 with be \$350; is that correct? 15 staying at 125 and -- it was 125, wasn't it, 16 16 or 120? MR. TURNER: 17 17 Did we verify that because we MS. MORRIS: 18 18 had talked about that at the legislative I think it was 120, 10 units 19 meeting? 19 a month. 20 MR. DUPLESSIS: 20 MR. ROBINSON: 21 21 Yes. I think that's pretty 120. 22 commensurate. I don't think that's 22 Anything else, Ron? 23 unreasonable. But, you know, the thing that 23 MR. DUPLESSIS: 24 we have seen on the Commission is the reason 24 Nothing. 25 that we have had so many outstanding is we 25 MR. ROBINSON:

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Page 62 Page 64 All right. Then, discussion 1 '11, would be in that first -- the second 2 on licensing requirements, which includes 2 column on the spreadsheet, which is the 3 the fee increase, and I had asked our 3 7/1/10 to 6/30/11 column and it's — you see 4 4 contract CPA to be here today. I had Derek our increase in dealer revenues or the 5 send him some numbers and they have worked 5 license fees goes up to \$848,000 and that's 6 together and I wanted the Commission to have based on 2,800. 7 7 the ability to see what \$100 fee increase MR. ROBINSON: 8 8 would actually mean to the Commission. So Why don't you take a minute 9 9 Roy is here today and he has prepared an and just walk us through this Page 3 what 10 10 elaborate report that is in your packet. the assumptions are, and then we will go to 11 11 So we are going to turn the the actual numbers. How about that? 12 12 meeting over to you and kind of walk all -MR. HEBERT: everyone through here and look at what \$100 13 13 All right. fee we -- to the best of his ability would 14 14 MR. ROBINSON: 15 mean to the Commission. 15 So let's just stay on Page 3 16 16 MR. HEBERT: and go through these assumptions. Good morning. I guess of the 17 17 MR. HEBERT: 18 three pages, probably the last page is the 18 We start out with 2,827 19 one that's most critical, because any 19 dealers and we use a \$300 annual license 20 fee. We are going to increase the 2,827 20 projections that we would make as to the 21 impact of the fee is dependent upon what 21 dealers by two percent per year on out assumptions you make to apply to the 22 through 2020. The same process was used on 23 23 the Numerical 2, which is the number of increased fee, and then also we tried to 24 licensed salesmen. We currently have 6,001 24 ratchet up expenses to keep up with 25 inflation and cost of living and that kind 25 licensed salesmen at \$25 a license. There Page 63 Page 65 of thing. So you have two sets of is no increase there, so -- but we increased 2 assumptions there, one that applies - the 2 the number of licensed salesmen by two 3 numerical ones that apply to revenues, and percent per year out to 2020. 4 then the alphabet ones that apply to The Numerical 3, which is the 5 5 late penalties, address changes, all becomes expenditures. And when Derek and I first met on it, we queried the system as to how miscellaneous fees that go along with the 7 7 many dealers are currently licensed by the various licenses. It looks like on average Я 8 Commission and we came up 2,827. So that is it has been running about five percent of 9 total revenues from dealer licenses and the number I have used to start with. 10 Neither he or I have enough experience with 10 sales licenses. So that's what I used was 11 five percent of those on out through each 11 the Commission to know what a reasonable 12 increase in the number of licensed dealers 12 one of those years. There is no increase 13 would be on a yearly basis. So we went kind 13 there, no decrease there. 14 of conservative and said, well, we will 1.4 Number four, which is the 15 15 increase the number of licensed dealers by auction fees, they look like they are 16 two percent a year for this time period, 16 running ahead of budget, but we didn't want 17 which is not a lot of dealers, but some of 17 to get crazy with that number. So we 18 you, particularly the ones that are the 18 increased that number two percent per year 19 19 dealers, might have a better feel for that for each of the 10 years in projections. 20 than he or I and if we need to increase that 20 Number five, which is in percentage or decrease that percentage, 21 enforcement actions, Derek and I just picked 22 increase in licensed dealers, we can do a number. We have not done much lately in 23 that, But, obviously, the big bump in 23 the way of enforcement actions. So we are 24 revenues comes since the fee increase would 24 basing it on current activities, which Derek 25 be effective for our year end in June of says probably by the end of this year, the

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Page 66 Page 68 end of 2011 would be about \$10,000. We 2009. So I applied that percentage increase increased that 20 percent per year on out to 2 to our current numbers on out through 2020. 3 3 2020. The majority of the other 4 Number 6 which is the NSF, I numbers are based on the Consumer Price 5 mean, it is nominal, \$500. I just rounded Index, again compiled by the feds, Bureau of it off to \$600. It is not a revenue item we 6 Labor Statistics. That's the annual want to increase. So we are not going to 7 increase for the period 1999 to 2009. It is have an increase there. 8 2.98 percent and that is what I used to Number 7 is the interest on 9 expand these costs that are tagged with the 10 the certificates of deposit. If you notice, 10 letter C. Vehicle insurance, letter D, once 11 where our interest rates are going. I used 11 we clear the lot out front should decrease. 12 two percent for 2011, three to four percent 12 but I understand that decrease in our 13 for 2013. So that's just -- it should be 13 vehicle insurance lags a year or two behind 14 '12, and then '13 through 20, four percent. 14 the year in which we actually decrease the 15 I left them kind of low. The interest 15 number in our fleet because of our prior 16 earnings on the operating account, same 16 claims. So Heather was -- based on her thing, it is .03 -- or .003 rather for 2011. conversations with Office of Risk 18 .004 for 2012, and then .005 for 2013 to 18 Management, thought the decrease would occur 19 2020. I don't know if they will stay that 19 in the year 2012. So I dropped it from 20 low, but at least the number is on the 20 where it is now 41,000 to 40,000, then 21 conservative side. And then the copies and 21 increased it slightly each year thereafter. 22 miscellaneous revenues, I just rounded those 22 The column -- line -- the accounting 23 off and left them the same without any - I 23 services, professional services for the 24 figured once we get more mechanized, we are 24 accounting, we have a contract with our probably not going to be selling copies and auditor for the next two years at this 25 Page 67 Page 69 labels and that kind of thing anyway, no price. So it should not change for those significant revenue item. two years, and then I applied a cost of On the expenditures side, 3 living increase starting in 2012 going out obviously our big costs are personnel costs, 4 through '20. 5 salaries and compensation. The Department The acquisitions and major of Labor -- US Department of Labor, Bureau repairs, you will notice there is nothing 7 of Labor Statistics, published some there except in the current year budget. statistics that give us employment cost The Commission needs to decide where and 9 index related to salaries, state and local when that is going to occur and how much government, it sounded like us. So they 10 because that would include, you know, the have compiled numbers only for 2001 through 11 office equipment, computer upgrades, 2009. What I did was, I took that increase 12 software upgrade, buying additional 13 replacement vehicles and that kind of thing.

3 4 5 6 7 8 9 10 13 that occurred in that time frame on an 14 annual basis and applied it to the budgeted 15 number for 2010 and increased salaries and 16 wages each year by that percentage, so 17 roughly 3.2 percent increase per year, which 18 is the average for the last nine years. The 19 retirement and group insurance costs, the 20 feds also publish a total benefits for state 21 and local government cost index. That, not 22 surprisingly, has increased a lot faster 23 than wages, roughly twice the rate, 6.24 24 percent. So I used – and, again, it is

only compiled for the period 2001 through

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14 I thought it was more important that we 15 leave that out of the mix just yet, so you 16 can see what the bottom line looked like, so 17 you know how much money could devote to 18 those kind of efforts, and then the last one 19 was G, which was no change which is on the 20 FICA and Medicare taxes. 21 So that's sort of the 22 approach. Now, if any of those assumptions 23 are wrong, these numbers will also be 24 impacted. I know Mr. Turner said something

about payroll being -- looked like it was

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Page 70 Page 72 going to project out higher than what the 1 This is the selling point, 2 budget is currently at set at for 2010. So though, when you start talking to 3 3 if my \$475,000 number here for salaries is representatives and senators and committee 4 on the low side, then all of my other members. 5 numbers will also be on the low side, the MR. ROBINSON: 6 ones that are impacted by salaries like Well -- so let's run through 7 retirement and group insurance. So those 7 the numbers then, which is -- go ahead and 8 Я would need to be changed. So this is meant run us through the numbers and what the 9 to be a discussion point to give you an idea bottom line numbers are, just -- let's just 10 of what \$100 increase would look like and 10 take -- well, you can do it. You know this 11 11 what it would do to the bottom line with stuff a lot better than we do. Let's look 12 12 basically no changes other than cost of at the far left column and kind of run 13 living to our current operating budget. 13 through it, what the bottom line is. Then, 14 MR. ROY: 14 we can run through it -- you know, through 15 Mr. Roy --15 the years that you have laid out here. 16 16 MR. HEBERT: MR. HEBERT: 17 Yes. 17 Well, the far left column 18 MR. ROY: 18 would be your current adopted budget and 19 19 that's the base in which I started applying -- excuse me, what does that 20 represent? 20 percentages to with the exception of the 21 MR. HEBERT: 21 dealer revenue and sales revenue, but the 22 That's the Consumer Price 22 current year budget is constructed 23 Index, all urban customers. So it is the 23 apparently around 3,157 dealers and 6,200 24 cost of living increase -- average cost of sales folks. We don't currently have those 25 25 numbers. So I didn't use those numbers. I living increase for that -- it is just a Page 71 Page 73 1 bigger time period. They have been used the numbers that Derek and I pulled off 2 2 compiling that number longer than the other the system last ---3 two numbers that deal with wages and 3 MR. ROBINSON: 4 4 benefits. So that's a full 10 years worth It is built around how many 5 5 of numbers there. So this was meant to be a dealers? 6 6 discussion point, not a final. MR. HEBERT: 7 7 And, Sheri, I mean, you have The budget is built around 8 done more legislation and have been involved 8 3,157 and 6,200 sales folks. We currently 9 9 with more legislation. The fiscal note that have 2,827 dealers and 6,001 sales folks. 10 10 gets attached to a fee increase bill, MR. ROBINSON: 11 11 doesn't it just refer to revenue increases? Okay. 12 MS. MORRIS: 12 MR. HEBERT: 13 13 Yes. Now, that's -- Kim pulled 14 MR. HEBERT: 14 them up when I was here the week before 15 It doesn't really ask you 15 last. I mean, late licenses may be still 16 what you plan on doing --16 coming in and are being added to that 17 MS. MORRIS: 17 number. So my 2,827 could be low and my 18 It is going to show increased 18 6,001 sales folks could be low, depending on 19 revenues for the next three fiscal years. 19 what the final numbers come out to be. So 20 MR. HEBERT: 20 that first column represents the current 21 21 budget and where it was going to lead us and So this is more for the 22 Commission's information than --22 that was a plus \$25,620, and then each 23 MS. MORRIS: sub-column is -- the impact is a \$100 24 24 Why you need that revenue. increase and the cost of living and/or other 25 MR. HEBERT: 25 indexes being applied to the various

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Page 74 Page 76 numbers, all of which lead to a surplus each No. We have to place 100 cap 2 year all the way through 2020 - excuse me, 2 in the legislation but to set it by rule, so 3 3 2020. That is starting out with \$208,965 we wouldn't have to go back to the 4 going down to \$138.654. Again, it doesn't Legislature. 5 include any kind of capital expenditures or 5 MR. ROBINSON: software enhancements or replacing 6 Well, what would history tell 7 7 technology. us about that, I mean, which way is the 8 MR. ROBINSON: 8 Legislature more apt to approval it? 9 9 Does anyone have any MS. MORRIS: 10 questions about the chart? I know it is 10 I have seen them do both. 11 your first time, you know, to look at it. 11 MR. HEBERT: It is a lot of numbers that we do look at 12 Is one an easier sell than 13 here on a monthly basis. Again, the big 13 the other? 14 item is there is no money budgeted in here. 14 MS. MORRIS: 15 15 When we need a new roof for the building at I think that's what Mr. 16 \$15,000 and we need -- and we are going to 16 Robinson is asking, which one is more apt to 17 have to update our fleet vehicles, I mean, 17 pass. I don't know, but if you need the 18 it's really getting to be pretty bad, you 18 whole hundred, I guess it would be best to 19 know, when you are talking about \$18,000, 19 sell what you feel like you need. But if 20 \$20,000 at a time to purchase a vehicle, but 20 you need the whole hundred, then we don't those type of expenses are not in here, but need the language. The language was going 22 all of the other expenses are. to have, you know, up to a maximum of 300. 23 23 MR. DUPLESSIS: MR. ROBINSON: 24 So you are taking the whole 24 Well, again, I have taken the \$100 at one time is your assumption in this? time to call some dealers and -- maybe a Page 75 Page 77 1 MR. HEBERT: half dozen and not a single one was opposed 2 The assumption was that it 2 to a fee increase. You know, one dealer 3 would be effective 1/1/11, which would be in 3 right off, the first thing he said, "\$8 a 4 the first year, June 30, '11. month, if I can't afford \$8 a month, I need 5 5 MR. DUPLESSIS: to shut down." You know, to me the way to 6 And we -- I think we kind of write it, whatever way would be the easiest, 7 assumed it would be a phase in, but it 7 but I think the assumption is from the 8 appears by the numbers we are going to need legislators, when it is says \$100, you are 9 the whole hundred right up front. 9 going to get \$100, but I don't think they 10 MR. HEBERT: 10 buy into the fact that you are going to go 11 Well, I mean, I could do it 11 up \$25 each year. 12 differently. I could project it 12 MS. MORRIS: 13 differently, Ron. 13 Well, if you have a maximum, 14 MR. DUPLESSIS: 14 you have to adopt it by rule and the rule 15 No. Your projections, I 15 goes through the process and it goes to the 16 Legislative Oversight and some agencies have 16 think, are on target. I think we have to 17 take the whole hundred up front. That's the done it that way, that, you know, they 18 kind of change we sold the people at the 18 increase it \$25, and then another \$25 when 19 committee meeting. 19 they deem necessary. So it has -- they 20 MR. ROBINSON: 20 still do have oversight over the increase 21 I think we are taking the 21 even if you set the maximum because they 22 whole hundred up front. 22 have to approve the rule. 23 MR. DUPLESSIS: 23 MR. ROBINSON: 24 24 No. So then if the Legislature 25 MS. MORRIS: graciously passed a fee increase bill, all

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Page 78 Page 80 we would then have is a fee increase bill. 1 Well, I guess it's because if 2 but no additional revenue. So we would 2 we are even relatively close on these 3 3 immediately then -numbers, you can see what the bottom line 4 MS. MORRIS: 4 is. We are going to start to stockpile a 5 5 lot of surplus. Have to do the rule. 6 MR. ROBINSON: 6 MR. TURNER: 7 7 - have to go to them and ask Well, is that something -- an 8 for an extra \$25 each year? 8 assumption, you make no other acquisition of 9 9 MS. MORRIS: cars or --10 You would have to increase it 10 MR. TURNER: 11 by a rule. Say the language was up to \$100 11 We know we need to buy cars. as what was in the proposal and you wanted 12 MR. DUPLESSIS: 12 13 to increase it \$50 starting in 2010, you 13 And we have to have some 14 really wouldn't be able to get it -- I mean. 14 software and some maintenance on the 15 15 your license year goes to January. So you building. 16 would have to immediately do a rule for the 16 MR. ROBINSON: \$50 and that rule would stay in place until 17 I understand that. But you 18 18 you determine that maybe you need another are looking at right out of the box \$200,000 19 19 \$25. Then, you would go back and amend this surplus annual. 20 rule. 20 MR. HEBERT: 21 MR. ROBINSON: 21 It is a million 840 if you 22 That's what I'm saying. So 22 add them all together. 23 23 all we would have in place is something MR. ROBINSON: 24 24 passed that we could have more money, but we By 2010, a million 840. It 25 wouldn't have any more money. won't be a million 840. We all understand Page 79 Page 81 1 MS. MORRIS: that, but it will be based -- if we are 2 2 Until you got the rule. relatively close, it is going to be 3 MR. ROBINSON: 3 \$700,000, \$750,000 surplus by 2010. We are 4 We would immediately then sitting on -- we will have a surplus of over 5 5 have to go to the Legislative Committee and a million dollars. 6 6 ask them for approval for another \$50 or \$30 MR. POTEET: 7 7 or whatever we decided on. But the other side of that 8 MS. MORRIS: argument is, if you have a relatively 9 9 You would go through the rule conservative estimate of the expenditures, 10 10 making process, yes, to determine the exact if you don't do anything, you are going to 11 amount. 11 be in the hole and you haven't even 12 MR. DUPLESSIS: 12 considered making capital outlays. 13 13 You can ask for the \$50 up MR. DUPLESSIS: 14 14 front in the legislation, and then apply for That's correct. 15 the --15 MR. ROBINSON: 16 16 MS. MORRIS: Well, we won't be able to. 17 17 You get the \$100 increase The thing that -- the only 18 once the bill is signed or it goes into 18 thing here in the numbers that I have seen, 19 effect without signature. You have the 19 and like all of you, I just got it right 20 whole \$100. You don't have to go through 20 before the weekend, but it just seems like 21 21 the starting salaries are too low. I don't the rule making process. 22 MR. TURNER: 22 know. Heather again is out. Actually, her 23 Why wouldn't we just ask for 23 daughter is in the hospital, I believe, but 24 the \$100 up front? 24 it seems like that \$475,000 number is kind 25 MR. ROBINSON: 25 of low to me, which would have some kind of

Page 82 Page 84 going to be much closer to zero and probably impact. Our legislation, though, was going 2 2 to go up to \$100, not \$100 immediate more realistic, too. 3 3 increase. MR. ROBINSON: 4 4 MS. MORRIS: So you were going to write 5 Correct. That's what we 5 the legislation, though, up to \$100 --6 discussed, but I think in some of the MS. MORRIS: 6 7 7 discussion, even at the committee meeting, That's the way --8 some people did not think that the \$100 was MR. ROBINSON: 9 too high, like you said. 9 -- \$50 in the bill or just up 10 10 MR. DUPLESSIS: to \$100? 11 11 MS. MORRIS: Right. 12 12 MS. MORRIS: It was presented that -- up 13 There wasn't a whole lot of 13 to \$100, and then there was going to be some determination before the session of how much 14 objection, I don't think, to the amount, but 15 the way we were presenting it was that, you 15 that initial increase would be and I think 16 this is the information we were waiting for, know, we would determine how much of the 17 \$100 we needed and we would increase it as 17 but the cap was \$100 and it was presented 18 necessary. I'm working with another agency 18 that we weren't going to use the cap 19 19 that's going to have a fee bill and they immediately, we would use what was needed. 20 MR. DUPLESSIS: 20 have similar concerns that when the fiscal 21 note comes out, it is going to show that 21 I have no problem with any 22 they would have a huge surplus and they do way y'all want. I do think that maybe a 23 little more extensive expenditure, 23 have some surplus, but they have been 24 24 especially on CAVU and cars, would be - and dipping into it every year. So they are 25 directing - the board instructed the staff then we check the salaries, because let's Page 83 Page 85 to create a realistic budget to go along face it, it's -- our expenses are on two 2 with it because like yours, it has no 2 feet or four wheels or technology and the 3 acquisitions or improvements or -- and they maintenance of the building. 3 4 4 really need to adjust their technology. MR. ROBINSON: 5 5 They have a building that may need repair. We will work with you and get 6 So they created a budget. If we can get the you -- we definitely need to plug in some 7 7 increase, this really what our budget is and more numbers. So Derek and I will get 8 should look like, because we have taken out together and get that forwarded to you and 9 .9 things that we really shouldn't take out. 10 MR. POTEET: 10 MS. MORRIS: 11 11 The only thing on the Well, you can take these salaries, the only factor applied was three 12 excesses of revenue and you can go back in 12 13 and plug in different things and bring that 13 point something. You know, the state 14 number down. You can plug in cars. You can 14 increase is really four percent. So you 15 15 might need to adjust that. plug in --16 16 MR. ROBINSON: MS. MORRIS: 17 17 That's what you need to put Well, we are going to raise 18 in their documentation. 18 all of those assumptions up, too, on the 19 MR. POTEET: 19 expense side to make sure that we are 20 Now that we know where we are 20 covered. But I think we need to address the 21 21 on this, we can go back and plug those larger question, is how we want this numbers in and go back and estimate, you 22 written. Are we going to in this bill ask 23 23 know, when is — we are going to have — buy for up \$100 starting with \$50 or do we --24 24 new cars every three years and do this, you are we going to ask just for \$100 increase? know, do that. Pretty soon that over is 25 We might need to have some discussion with

		Page 86			Page	88
1	some elected officials.		1	Do you anticipate that we		
2	MS. MORRIS:		2	would have people at the courthouse in		
3	I was going to say maybe we		3	objection to the fee increase?		
4	draft it for \$100, but then maybe that's		4	MR. WRIGHT:		
5	something that the author may want to		5	That's hard to say dependent		
6	address. They might say I'm not comfortable		6	on how it is presented and, of course, you		
7	with \$100 right off the bat, but I'm		7	speak to dealers on our board, they are not		
8	comfortable with the increase of \$50 and		8	mom and pop operations. So, you know, it		
9	giving you authority for an additional \$50.		9	depends on how it's put in. But, no, my		
10	Maybe we can try to do it at \$100, but have		10	board didn't have anything to say. In fact,		
11	some room to compromise.		11	they were kind of in favor of it.		
12	MR. ROBINSON:		12			
13	Who actually would have		13	I spoke to a couple of your		
14	it's the House Committee that would have to		14	board members or families of I don't		
15	approve an additional increase if we wrote		15	necessarily know, but		
16			16	MR. WRIGHT:		
17	MS. MORRIS:		17	I'm aware of that.		
18	Well, you go through the rule		18	MR. ROBINSON:		
19	making process. The rules get submitted to		19	Sir?		
20	•		20	MR. WRIGHT:		
	jurisdiction of both bodies and they can		21	I'm aware of that.		
	either request an oversight hearing or they		22	MR. ROBINSON:		
23	can just let it go and in most cases, they		23	I know they were in favor of		
	just let it go into a rule without an		24	it, but I think the one guy, and he is a		
25	oversight hearing, but they do have that	v->	25	small operator, but like he said, "If I		
İ		Page 87			Page	89
1	authority to trigger an oversight hearing		1	can't afford \$8 a month, I need to shutdown"		
2	and they have vetoed some rules along the		2	because it's been so many years since we		
3	process, but that's kind of rare.		3	have had a fee increase.		
4	MR. ROBINSON:		4	MR. WRIGHT:		
5	Well, which committee		5	No, I had no negative		
6	MS. MORRIS:		6	feedback on it.		
7	The Commerce Committee.		7	MR. ROBINSON:		
8	MR. ROBINSON:		. 8	What's anybody's thought to		
9	Commerce.		9.	go the other way where we might take \$50 up)	
10	MS. MORRIS:		10	front? I mean, \$50, if we cut to revenue,		
11	That's kind of rare, but if		11	Roy, just real quick.		
12	you have a lot of people in your industry		12	MR. TURNER: You would increase it 100		
13	that were very much against it, they would		13			
15	make the calls to get the oversight hearing. MR. ROBINSON:		14 15	grand. MR. ROBINSON:		
16			16	You would still have the		
17	Have you heard any direct feedback from your board, would your agency	,	17			
	- recupack from your board, would your agency		1	surplus. MR. POTEET:		
1						
18	be in support of this fee increase? You		18 19			
18 19	be in support of this fee increase? You thought they might. Have you heard anything		19	I would say we should present		
18 19 20	be in support of this fee increase? You thought they might. Have you heard anything since the last time we met?		19 20	I would say we should present it to make sure to have the most		
18 19 20 21	be in support of this fee increase? You thought they might. Have you heard anything since the last time we met? MR. WRIGHT:		19 20 21	I would say we should present it to make sure to have the most opportunity to pass.		
18 19 20 21 22	be in support of this fee increase? You thought they might. Have you heard anything since the last time we met? MR. WRIGHT: 1 told them what she said was		19 20 21 22	I would say we should present it to make sure to have the most opportunity to pass. MR. TURNER:		
18 19 20 21 22 23	be in support of this fee increase? You thought they might. Have you heard anything since the last time we met? MR. WRIGHT: 1 told them what she said was discussed at the legislative meeting and		19 20 21 22 23	I would say we should present it to make sure to have the most opportunity to pass. MR. TURNER: I agree with that.		
18 19 20 21 22	be in support of this fee increase? You thought they might. Have you heard anything since the last time we met? MR. WRIGHT: 1 told them what she said was		19 20 21 22	I would say we should present it to make sure to have the most opportunity to pass. MR. TURNER:		

23 (Pages 86 to 89)

Page 90 Page 92 \$50 up front, and then the \$100 to come. We are going to be the Commission that --2 MR. POTEET: 2 you know, that wants more money. They just 3 3 Well, we can go back in and can't get enough. That's government. They 4 4 Roy can re-calculate this. I mean, I think just can't get enough money. That's going 5 most of us can do this in our head. I mean, 5 to be the perception out there in the 6 we are still going to have a surplus and we industry and I don't know any way you can 6 7 7 can still phase in our capital outlay, over get around that. 8 8 time. I mean --MR. WRIGHT: 9 9 MR. HEBERT: What about if you need \$100 10 10 Just \$50 for 2,827 licensees, and you take \$50 and put a specific time on 11 the second \$50? 11 plus 141, 350 out of the surplus of 208. 12 12 MR. ROBINSON: MR, DUPLESSIS: 13 13 It pulls it out. It won't matter. You are 14 MR. HEBERT: still just raising it again. You know what 15 It drops it down to \$67,000. 15 the average dealer is going to say, "Another 16 16 It is not like other things come down when stinking increase, they are just waiting my 17 you reduce the --17 money at that Commission", versus take the 18 MR. POTEET: 18 \$100 and, you know, never worry about it 19 19 again. I mean, that's --We are just reducing our 20 revenue. 20 MS. MORRIS: 21 MR. HEBERT: 21 One other consideration is 22 every time you change your fee, you have 22 You are just taking it 23 23 straight out of the bottom line. So that programing changes and paperwork changes. drops us down to 61 - \$67,000 and change 24 So that has some incremental cost. 25 the first year. 25 MR. ROBINSON: Page 91 Page 93 1 MR. POTEET: Here is what I would like to 2 But it is still a surplus and 2 do, if everyone is in agreement. I would 3 3 if we could phase it in over some number of like to have some time to contact some 4 years. I don't know how we would do that, legislators and see what they think and let 5 5 Ron have some time to contact. And then, I but if we did, you know, \$50 the first year and \$50 the next year or something. I mean, mean, if y'all would kind of based on the 7 7 by the time we get out to 2013, '14, we impact and input we get back from them and 8 should have \$1,200 and also you are not all of you contact -- I know Rhett can do going to run out and buy a new computer. that, too. Why don't we ask, and then I 1.0 10 system in the next year or two. So there will call you guys and we will see what the 11 feedback is, and then we will tell you to 11 are things that are going to, you know, phase in over time, too. 12 write it that way if the Commission is in 12 13 MR. ROBINSON: 13 agreement to that. You are going to get to 14 The only other aspect in this vote on this next month anyway. But, you 15 15 to me is, if we start with a \$50 and two know, we may call some elected officials and 16 years we are back for more, then we are 16 they may say, "Boy, if you don't do it this 17 going to be the Commission that just keeps 17 way, you are going to be in trouble." 18 raising. If we do the \$100 and they don't 18 MS. MORRIS: 19 hear from us for the next 15 years, they are 19 And some of it is going to 20 all going to be real happy. If you do \$50 20 have to do with what the office feels 21 and two or three years you are having to do 21 comfortable. So I think we need to kind of 22 more, that is when it is going to be 22 figure out who might be a willing sponsor 23 unpleasant. You just raised it. The dealer 23 and they have to be comfortable with the 24 is not going to understand that we asked for 24 approach that we are taking as well. 25 25 \$100 but we were nice and we only took \$50. MR. ROBINSON:

24 (Pages 90 to 93)

Page 94 Page 96 1 Would the Commissioners be July. If we -- you know, not the fee part 2 okay if we just took some time and made some but if the legislative packet goes through, 3 3 contacts, and then we will get with Ms. if it is not signed by the Governor, it 4 Morris and tell her, you know, the way we might not go into law until almost July. If think it would be best, and then we give 5 5 it didn't get through --that to you and we will vote on it next 6 MS. MORRIS: 7 7 month? And I would encourage all of you to Or August. contact your local -- a couple of your local 8 MR. ROBINSON: 9 folks and see how they feel about it, and I Yes, as late as August. So I 10 will call around and we will -- you know, I 10 don't know if that's an option for this 11 will take a little tally maybe in a week and 11 12 MR. DUPLESSIS: 12 a half or so, and then we will write it 13 13 based on the feedback that we get. Is that Well, we could write it with 14 everyone's --a later date and part of your fiscal note --15 15 MR. TURNER: MR. ROBINSON: 16 We were just trying to take 16 That sounds like a plan. 17 17 the pressure off for the renewal period come MR. DUPLESSIS: the end of the year, but I just really don't 18 I don't think anybody is 18 going to have an objection to the \$100. I 19 see how we are going to be able to do that. 19 20 think the author is going to be the key on 20 MR. POTEET: 21 how to sell it to the other members of the 21 It sounds like what Derek was committee. That's the main thing. So we 22 saying earlier, we might have some IT 23 23 will go ahead and make the contact there and improvements that are going to help us a 24 we will make --24 little bit relieve some of that pressure. 25 MR. ROBINSON: So maybe we could write it in for a later Page 95 Page 97 1 phase in, maybe in '11 or '12. And find a sponsor. 2 2 MR. DUPLESSIS: MR. DUPLESSIS: 3 We will find one. 3 That could be part of your 4 4 MR. ROBINSON: fiscal notes, that you are going to get an 5 5 IT upgrade with more timely service and Yes, ma'am. 6 MS. MORRIS: become more efficient. That can always be 7 7 part of your footnotes on your fiscal note. One more question about the 8 8 fee bill. There was some discussion about MR. ROBINSON: 9 9 changing the licensing year on some or all But as an agency we would be 10 of the licenses and to me that kind of 10 better off if we weren't in 100 percent 11 relates to the fee bill and how your fiscal renewals at the same time, regardless of 12 note is going to come out and I don't think 12 what we are doing, regardless of the answer 13 we ever really settled on whether we are 13 to the IT software. We need to get this going to change the license renewal date and 14 14 thing divided up. So, I mean, the 15 that has to be in the legislation, too. legislation could say -- that's not really 16 16 in the legislation. It's not that specific, MR. ROBINSON: 17 17 is it? That was my next note. 18 18 MS. MORRIS: MS. MORRIS: 19 I'm sorry. 19 It says that licenses shall 20 MR. ROBINSON: expire December 31. So you would have to 21 21 If we are going to try do remove that and just substitute an annual 22 that and if we have time to do that. That's 22 license. That would give you additional 23 my bigger question. I went back and looked 23 time to study it and come up with a system at a calendar and I don't see any way in the 24 24 that works, but your legislation does say 25 December 31. world we could implement this for June or

		Page 98		Page	= 100
	MR. ROBINSON:	-	1	any questions, anything they want to ask	
2	So all you have to change is		2	about, comment about?	
3	that they purchase an annual license?		3	(No response.)	
4	MR. POTEET:		4	MR. ROBINSON:	
5	Then we could set up a rule		5	Kind of a quick meeting	
6	as to how it is done, a procedure.		6	today.	
7	MR. ROBINSON:		7	MR. POTEET:	
8	Well, let's do that. It		8	I make a motion that we	
9	won't help you this year.		9	adjourn.	
10	MS. MORRIS:		10	MR. DUPLESSIS:	
11	Sorry.		11	I will second it.	
12	MR. ROBINSON:		12	MR. ROBINSON:	
13	We just can't get it done.		13	All in favor?	
14	MS. MORRIS:		14	(All "Aye" responses.)	
15	I was doing some work with		15	(Whereupon, the meeting ended at 10:33	
16	the architecture board the other day and it		16	a.m.)	
17	had to pull their licenses and they have		17	···· <i>,</i>	
18	their firm licenses on a fiscal year and		18		
19	their individual licenses on a calendar		19		
20	year. So they have a spit as well.		20		
21	MR. DUPLESSIS:		21		
22	There you go.		22		
23	MS. MORRIS:		23		
24	You might be able to work		24		
	with it.		25		
	**************************************		<u> </u>		
		Page 99		Page	101
,	MR ROBINSON	Page 99	1	_	101
1 2	MR. ROBINSON: The other thing, do we know	Page 99	1 2	Page REPORTER'S CERTIFICATE	101
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