

## **House Committee on Civil Law and Procedure**

Minutes of Meeting  
2016 Regular Session  
April 19, 2016

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

Representative Raymond E. Garofalo, Jr., chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 9:38 a.m. in Room 4, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Raymond E. Garofalo, Jr., chairman  
Representative Robby Carter  
Representative Julie Emerson  
Representative Randal L. Gaines, vice chairman  
Representative Sam L. Jenkins Jr.  
Representative Mike Johnson  
Representative Gregory A. Miller  
Representative Clay Schexnayder  
Representative Alan Seabaugh

#### **MEMBERS ABSENT:**

Representative Gregory Cromer  
Representative Tanner D. Magee

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

Robert A. Singletary, attorney  
Steve Kogos, attorney  
Alicia Spivey, secretary

#### **ADDITIONAL ATTENDEES PRESENT:**

Myrtis Jarrell, sergeant at arms  
Victoria Langston, clerk

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 89 by Representative Connick**

Representative Connick presented House Bill No. 89, which reduces the jury trial threshold amount.

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 89. Without objection, action on House Bill No. 89 was voluntarily deferred by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Emerson, Gaines, Jenkins, Mike Johnson, Gregory Miller, and Seabaugh voted yea. Representative Garofalo abstained.

#### **House Bill No. 282 by Representative Connick**

Representative Connick presented House Bill No. 282, which provides for a liberative prescriptive period of two years.

Representative Robby Carter offered an amendment to retain the one-year prescriptive period against the state, state agencies, and political subdivisions. Representative Robby Carter offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Emerson, Gaines, Jenkins, Mike Johnson, Gregory Miller, and Seabaugh voted yea. Representative Garofalo abstained.

Representative Robby Carter offered an amendment to require a written notice to all obligors within one year of the day of injury. Representative Robby Carter offered a motion to adopt the proposed amendment, to which Representative Seabaugh objected. The secretary called the roll, and by a vote of 3 yeas, 5 nays, and 1 abstention, the motion failed to pass. Representatives Robby Carter, Gaines, and Jenkins voted yea. Representatives Emerson, Mike Johnson, Gregory Miller, Schexnayder, and Seabaugh voted nay. Representative Garofalo abstained.

Lauren Chauvin, Louisiana Association of Business and Industry, 3113 Valley Creek Drive, Baton Rouge, LA 70808, spoke in opposition to House Bill No. 282.

Jim Harris, Coalition for Common Sense, 521 Laurel Street, Baton Rouge, LA 70802, (225) 928-5388, spoke in opposition to House Bill No. 282.

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 282. Without objection, action on House Bill No. 282 was voluntarily deferred by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Emerson, Gaines, Jenkins, Mike Johnson, Gregory Miller, Schexnayder, and Seabaugh voted yea. Representative Garofalo abstained.

Witness cards submitted by individuals who did not speak are as follows: 15 in opposition. Witness cards are included in committee records.

**House Bill No. 956 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 956, which provides relative to mortgage and conveyance records.

Representative Robby Carter offered a motion to report House Bill No. 956 favorably. Without objection, House Bill No. 956 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Emerson, Gaines, Jenkins, Mike Johnson, Gregory Miller, Schexnayder, and Seabaugh voted yea. Representative Garofalo abstained.

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

**House Bill No. 1065 by Representative Robby Carter**

Representative Robby Carter presented House Bill No. 1065, which provides relative to discovery of certain evidence.

Representative Robby Carter offered a motion to voluntarily defer action on House Bill No. 1065. Without objection, action on House Bill No. 1065 was voluntarily deferred by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Emerson, Gaines, Jenkins, Mike Johnson, Gregory Miller, Schexnayder, and Seabaugh voted yea. Representative Garofalo abstained.

Witness cards submitted by individuals who did not speak are as follows: 13 in opposition. Witness cards are included in the committee records.

**IV. ANNOUNCEMENTS**

There were no announcements.

**V. ADJOURNMENT**

The meeting was adjourned at 10:23 a.m.

Respectfully submitted,

Chairman Raymond E. Garofalo, Jr.

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