

House Committee on Civil Law and Procedure

Minutes of Meeting
2019 Regular Session
April 15, 2019

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 10:14 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Raymond E. Garofalo, Jr., chairman
Representative Raymond J. Crews
Representative Mary DuBuisson
Representative Randal L. Gaines, vice chairman
Representative Sam L. Jenkins, Jr.
Representative Michael T. Johnson
Representative Tanner D. Magee
Representative Alan Seabaugh

MEMBERS ABSENT:

Representative Robby Carter

STAFF MEMBERS PRESENT:

Robert A. Singletary, attorney
Annie Smith, attorney
Stephanie Weinman, secretary

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Angela McKnight, sergeant at arms
Madeleine Murphy, clerk
Madison Ramsey, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 32 by Representative Thomas

Representative Thomas presented House Bill No. 32, which provides relative to the spousal confidential communications privilege.

Darren Allemand, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70056, (504) 368-1820, spoke in support of House Bill No. 32.

Matthew Caplan, St. Tammany Parish District Attorney's Office, 701 N. Columbia St., Covington, LA 70433, (985) 809-8398, spoke in support of House Bill No. 32.

James T. Dixon, Jr., Louisiana Public Defender Board, 301 Main St., Suite 700, Baton Rouge, LA 70825, (225) 219-2305, spoke for information only on House Bill No. 32.

Representative Seabaugh offered a motion to report House Bill No. 32 favorably. Without objection, House Bill No. 32 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Jenkins, Mike Johnson, Magee, and Seabaugh voted yea.

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

House Bill No. 249 by Representative Connick

Representative Connick presented House Bill No. 249, which provides relative to community service litter abatement programs.

Representative Garofalo offered a technical amendment. Representative Garofalo offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Mike Johnson, Magee, and Seabaugh voted yea.

Representative Crews offered a motion to report House Bill No. 249 with amendments. Without objection, House Bill No. 249 was reported with amendments by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Mike Johnson, Magee, and Seabaugh voted yea.

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

House Bill No. 372 by Representative Talbot

Representative Talbot presented House Bill No. 372, which enacts the Omnibus Premium Reduction Act of 2019.

Representative Garofalo offered an amendment to change the title. Representative Garofalo offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 8 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Gaines, Jenkins, Mike Johnson, Magee, and Seabaugh voted yea.

Commissioner Jim Donelon, Louisiana Department of Insurance, 1702 N. 3rd St., Baton Rouge, LA 70802, (225) 342-5900, spoke in support of House Bill No. 372.

Richard Piazza, Louisiana Department of Insurance, spoke for information only on House Bill No. 372.

Lou Fey, Louisiana Property and Casualty Insurance Commission, 2135 N. Woodchase Ct., Baton Rouge, LA 70808, (225) 362-0018, spoke in support of House Bill No. 372.

Lauren Chauvin, Louisiana Association of Business and Industry, 619 Woodvale Ave., Lafayette, LA 70503, (337) 501-8620, spoke in support of House Bill No. 372.

Jim Harris, Louisiana Coalition for Common Sense, 521 Laurel St., Baton Rouge, LA 70801, (225) 344-0381, spoke in support of House Bill No. 372.

Dawn Starns, National Federation of Independent Business, 530 Lakeland Dr., Suite 201, Baton Rouge, LA 70802, (225) 218-6847, spoke in support of House Bill No. 372.

Mike Scriber, Scriber Insurance Services, 412 W. Alabama Ave., Ruston, LA 71270, (318) 255-5810, spoke in support of House Bill No. 372.

Jeff Albright, Independent Insurance Agents, 18153 E. Petroleum Dr., Baton Rouge, LA 70809, (225) 975-7171, spoke in support of House Bill No. 372.

Katie Sistrunk, Ramagos Farms, Inc., 36140 Richland Rd., White Castle, LA 70788, (225) 937-5813, spoke in support of House Bill No. 372.

Robert E. Kleinpeter, Louisiana Association for Justice, 442 Europe St., Baton Rouge, LA 70802, (225) 383-5554, spoke in opposition to House Bill No. 372.

Judge Lisa Woodruff-White, Louisiana District Judges Association, 300 North Blvd., Suite 4101, Baton Rouge, LA 70816, (225) 389-7657, spoke for information only on House Bill No. 372.

Judge Bob Morrison, Louisiana District Judges Association, P.O. Box 785, Amite, LA 70422, (985) 748-9445, spoke for information only on House Bill No. 372.

Representative Seabaugh offered a motion to report House Bill No. 372 with amendments, to which Representative Gaines objected. The secretary called the roll, and House Bill No. 372 was reported with amendments by a vote of 5 yeas and 2 nays. Representatives Garofalo, Crews, DuBuisson, Mike Johnson, and Seabaugh voted yea. Representatives Gaines and Jenkins voted nay.

Witness cards submitted by individuals who did not speak are as follows: 35 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 51 by Representative Huval

Representative Huval presented House Bill No. 51, which provides relative to the admissibility of evidence for failure to wear a safety belt.

Representative Garofalo offered an amendment to add a provision requiring a 25% reduction in total damages awarded if a party proves that the injured person failed to wear a safety belt. Representative Garofalo offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Gaines, Jenkins, Mike Johnson, and Seabaugh voted yea.

Jeff Albright, Independent Insurance Agents, 18153 E. Petroleum Dr., Baton Rouge, LA 70809, (225) 975-7171, spoke in support of House Bill No. 51.

J. Cullens, Louisiana Association for Justice, no address provided, (225) 324-9248, spoke in opposition to House Bill No. 372.

Representative Seabaugh offered a motion to report House Bill No. 51 with amendments, to which Representative Gaines objected. The secretary called the roll, and House Bill No. 51 was reported with amendments by a vote of 5 yeas and 2 nays. Representatives Garofalo, Crews, DuBuisson, Mike Johnson, and Seabaugh voted yea. Representatives Gaines and Jenkins voted nay.

Witness cards submitted by individuals who did not speak are as follows: 34 in support. Witness cards are included in the committee records.

House Bill No. 197 by Representative Foil

Representative Foil presented House Bill No. 197, which prohibits certain nondisclosure agreements in settlements involving the payment of public funds.

Representative Garofalo offered an amendment to make technical changes. Representative Garofalo offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Gaines, Jenkins, Mike Johnson, and Seabaugh voted yea.

Representative Seabaugh offered a motion to report House Bill No. 197 with amendments. Without objection, House Bill No. 197 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Gaines, Jenkins, Mike Johnson, and Seabaugh voted yea.

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

House Bill No. 489 by Representative DuBuisson

Representative DuBuisson presented House Bill No. 489, which provides relative to hearsay.

Matthew Caplan, St. Tammany Assistant District Attorney, 701 N. Columbia St., Covington, LA 70433, (985) 809-8398, spoke in support of House Bill No. 489.

Representative Jenkins offered a motion to report House Bill No. 489 favorably. Without objection, House Bill No. 489 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, DuBuisson, Gaines, Jenkins, Mike Johnson, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 1 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:03 p.m.

Respectfully submitted,

Chairman Raymond E. Garofalo, Jr.
House Committee on Civil Law and Procedure

Date adopted: