

House Committee on Judiciary

Minutes of Meeting
2022 Regular Session
May 12, 2022

I. CALL TO ORDER

Representative Randal L. Gaines, chairman of the House Committee on Judiciary, called the meeting to order at 9:36 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Randal L. Gaines, chairman
Representative Kathy Edmonston
Representative Michael T. Johnson
Representative Edmond Jordan
Representative Mandie Landry
Representative Sherman Q. Mack, vice chairman
Representative Nicholas Muscarello, Jr.
Representative Joseph A. Orgeron
Representative Charles Anthony Owen
Representative Thomas A. Pressly
Representative Alan Seabaugh

MEMBERS ABSENT:

Representative Jason Hughes

STAFF MEMBERS PRESENT:

Robert A. Singletary, division director
Gabrielle Lewis, attorney
Diane Merritt, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Michael McCain, clerk
Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Concurrent Resolution No. 12 by Representative Charles Owen

Representative Charles Owen presented House Concurrent Resolution No. 12, which requests that congress reduce or eliminate funding for the U.S. Department of Homeland Security to protect the civil liberties of the citizens of Louisiana.

Representative Pressly offered a motion to report House Concurrent Resolution No. 12 favorably. Without objection, House Concurrent Resolution No. 12 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Mike Johnson, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Senate Bill No. 383 by Senator Peacock

Senator Peacock presented Senate Bill No. 383, which provides relative to advertisements for legal services.

Representative Seabaugh offered an amendment to add the requirement of awarding court costs or attorney fees to a prevailing party. Representative Seabaugh offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Seabaugh offered a motion to report Senate Bill No. 383 with amendments. Without objection, Senate Bill No. 383 was reported with amendments by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 in opposition. Witness cards are included in the committee records.

Senate Bill No. 398 by Senator Peacock

Senator Peacock presented Senate Bill No. 398, which provides relative to juror compensation rates.

Representative Orgeron offered a motion to report Senate Bill No. 398 favorably. Without objection, Senate Bill No. 398 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, and Pressly voted yea. Representative Gaines abstained.

Senate Bill No. 159 by Senator Ward

Senator Ward presented Senate Bill No. 159, which provides relative to insurance benefits for retirees of the Iberville Parish Sheriff's Office.

Gary Bennett, assistant director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (318) 282-8850, testified in support of Senate Bill No. 159.

Representative Charles Owen offered a motion to report Senate Bill No. 159 favorably. Without objection, Senate Bill No. 159 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, and Pressly voted yea. Representative Gaines abstained.

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

Senate Bill No. 140 by Senator Abraham

Senator Abraham presented Senate Bill No. 140, which provides for insurance benefits for retired sheriffs and deputies of the Acadia Parish Sheriff's Office.

Gary Bennett, assistant director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (318) 282-8850, testified in support of Senate Bill No. 140.

Representative Muscarello offered a motion to report Senate Bill No. 140 favorably. Without objection, Senate Bill No. 140 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

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

Senate Bill No. 402 by Senator Abraham

Senator Abraham presented Senate Bill No. 402, which provides for special masters in certain civil actions arising within a parish included in a major disaster declaration.

Representative Gaines offered a motion to report Senate Bill No. 402 favorably. Without objection, Senate Bill No. 402 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Senate Bill No. 311 by Senator Milligan

Senator Milligan presented Senate Bill No. 311, which requires the Governor's Office of Homeland Security and Emergency Preparedness to adopt certain rules.

On behalf of the author, Representative Mack offered amendments to:

- (1) Make technical changes.
- (2) Change members that comprise the Louisiana Commission on Nonprofit Safety and Security.

Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Mack offered a motion to report Senate Bill No. 311 with amendments. Without objection, Senate Bill No. 311 was reported with amendments by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

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

Senate Bill No. 69 by Senator Connick

Senator Connick presented Senate Bill No. 69, which provides relative to protections for crime victims.

Darren Allemand, research and appeals division and felony division, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, testified in support of Senate Bill No. 69.

Representative Edmonston offered a motion to report Senate Bill No. 69 favorably. Without objection, Senate Bill No. 69 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 319 by Senator Foil

Senator Foil presented Senate Bill No. 319, which provides for certain punitive articles of the Louisiana Code of Military Justice.

Col. Dirk Thibodeaux, Louisiana National Guard, 5445 Point Clear Rd., Carville, LA 70721, (225) 205-0542, testified for information only on Senate Bill No. 319.

Representative Charles Owen offered a motion to report Senate Bill No. 319 favorably. Without objection, Senate Bill No. 319 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Senate Bill No. 93 by Senator Cathey

Senator Cathey presented Senate Bill No. 93, which designates the Gulf Fritillary as the official state butterfly.

Representative Pressly offered a motion to report Senate Bill No. 93 favorably. Without objection, Senate Bill No. 93 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Senate Bill No. 101 by Senator Cathey

Senator Cathey presented Senate Bill No. 101, which provides relative to the traffic violations bureau in certain city courts.

Representative Gaines offered a motion to report Senate Bill No. 101 favorably. Without objection, Senate Bill No. 101 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Senate Bill No. 417 by Senator Cathey

Senator Cathey presented Senate Bill No. 417, which provides relative to the delivery of alcoholic beverages.

Ryan Templet, representing GoPuff, 218 Laurel St., Baton Rouge, LA 70801, (225) 344-1177, testified in support Senate Bill No. 417.

After a lengthy discussion, Representative Seabaugh offered a motion to report Senate Bill No. 417 favorably, to which Representative Pressly objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 1 yeas, 7 nays, and 1 abstention. Representative Seabaugh voted yea. Representatives Edmonston, Jordan, Landry, Mack, Muscarello, Orgeron, and Pressly voted nay. Representative Gaines abstained.

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

Senate Bill No. 46 by Senator Allain

On behalf of the author, Representative Gaines presented Senate Bill No. 46, which provides relative to group insurance benefits for certain clerks of court.

Representative Gaines offered a motion to report Senate Bill No. 46 favorably. Without objection, Senate Bill No. 46 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Jordan, Landry, Mack, Muscarello, Orgeron, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Senate Bill No. 88 by Senator Fred Mills

On behalf of the author, Sheriff Gregory Moroux, St. Martin Parish, 400 St. Martin St., St. Martinville, LA 70582, (337) 278-2804, presented Senate Bill No. 88, which provides relative to insurance benefits for retirees of the St. Martin Parish Sheriff's Office.

Representative Edmonston offered a motion to report Senate Bill No. 88 favorably. Without objection, Senate Bill No. 88 was reported favorably by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, and Muscarello voted yea. Representative Gaines abstained.

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

Senate Bill No. 51 by Senator Mizell

Senator Mizell presented Senate Bill No. 51, which adds a second commissioner to the Twenty-Second Judicial District Court and authorizes commissioners to preside over domestic violence cases and civil matters.

Representative Mack in chair.

Representative Jordan offered a motion to report Senate Bill No. 51 favorably. Without objection, Senate Bill No. 51 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Pressly, 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.

Senate Bill No. 115 by Senator Mizell

Senator Mizell presented Senate Bill No. 115, which provides relative to mandatory training for peace officers related to human trafficking.

Representative Jordan offered a motion to report Senate Bill No. 115 favorably. Without objection, Senate Bill No. 115 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea.

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

Senate Bill No. 450 by Senator Stine

Senator Stine presented Senate Bill No. 450, which provides relative to microbreweries.

Representative Pressly offered a motion to report Senate Bill No. 450 favorably. Without objection, Senate Bill No. 450 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 2 for information only. Witness cards are included in the committee records.

House Resolution No. 111 by Representative Hodges

On behalf of the author, Representative Mack presented House Resolution No. 111, which commends the modern state of Israel on the seventy-fourth anniversary of its establishment.

Representative Pressly offered a motion to report House Resolution No. 111 favorably. Without objection, House Resolution No. 111 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea.

Senate Bill No. 332 by Senator Henry

On behalf of the author, Representative Mack presented Senate Bill No. 332, which provides relative to alcohol permits.

Representative Mack offered a motion to report Senate Bill No. 332 favorably. Without objection, Senate Bill No. 332 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Jordan, Landry, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea.

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

House Concurrent Resolution No. 101 by Representative Bacala

On behalf of the author, Representative Jordan offered a motion to voluntarily defer action on House Concurrent Resolution No. 101, which requests a study relative to reporting requirements for active felony cases in each judicial district. Without objection, action on House Concurrent Resolution No. 101 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Jordan, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 10:54 a.m.

Respectfully submitted,

Chairman Randal L. Gaines
House Committee on Judiciary