

House Committee on Administration of Criminal Justice

Minutes of Meeting
2016 Regular Session
April 6, 2016

I. CALL TO ORDER

Representative Sherman Q. Mack, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:29 a.m. in Room 6, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Sherman Q. Mack, chairman
Representative Bryan Adams
Representative Tony Bacala
Representative John H. Bagneris
Representative Barbara W. Carpenter
Representative Stephen C. Dwight
Representative Randal L. Gaines
Representative Lowell C. "Chris" Hazel
Representative Valarie Hodges
Representative Frank A. Howard
Representative Edward C. "Ted" James II
Representative Terry C. Landry, Sr.
Representative Joseph P. Lopinto III
Representative C. Denise Marcelle
Representative Barbara M. Norton
Representative Steve E. Pylant, vice chairman

STAFF MEMBERS PRESENT:

Lori Hutson, secretary
A. Gregory Riley, attorney
Kelly C. Fogleman, attorney

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 19 by Representative Dwight

Representative Dwight presented House Bill No. 19, which prohibits use of an unmanned aircraft system to conduct surveillance or collect information about a school, school premises, or correctional facilities.

Representative Mack offered amendments to: (1) add the use of unmanned aircraft over correctional facilities as an element of the crime and increase the penalties for those offenses; (2) to add the exception for any person operating an unmanned aircraft vehicle or unmanned aircraft system in compliance with Federal Aviation Administration authorization or regulations; and (3) add the exception for PSC and FCC maintenance. Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Carpenter, Dwight, Hazel, Hodges, Howard, Terry Landry, Marcelle, and Pylant voted yea.

Representative Pylant offered a motion to report House Bill No. 19 with amendments. Without objection, House Bill No. 19 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Carpenter, Dwight, Hazel, Hodges, Howard, Terry Landry, Marcelle, Norton, and Pylant voted yea.

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

House Bill No. 189 by Representative Chad Brown

Representative Chad Brown presented House Bill No. 189, which provides with respect to the closure of a restaurant at a qualified truck stop facility.

Alton Ashy, Louisiana Video Gaming Association, 218 Laurel St., Baton Rouge, LA 70802, (225)936-1700, spoke in support of House Bill No. 189.

Representative Adams offered amendments to reinstate present law authorizing the closure on certain specified legal holidays and add the authority for the facilities to also close on Sundays. Representative Adams offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea.

Kathleen Benfield, Louisiana Family Forum, 655 St. Ferdinand, Baton Rouge, LA 70802, (225)344-8533, spoke in opposition to House Bill No. 189.

Representative Norton offered a motion to report House Bill No. 189 with amendments. Without objection, House Bill No. 189 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, James, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea.

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

House Bill No. 196 by Representative Leger

Representative Leger presented House Bill No. 196, which provides with respect to fuel sales at qualified truck stop facilities.

Kathleen Benfield, Louisiana Family Forum, 655 St. Ferdinand, Baton Rouge, LA 70802, (225)344-8533, spoke in opposition to House Bill No. 196.

Alton Ashy, Louisiana Video Gaming Association, 218 Laurel St., Baton Rouge, LA 70802, (225)936-1700, spoke in support of House Bill No. 196.

Representative Norton offered a motion to report House Bill No. 196 favorably, to which Representative Bacala objected. The secretary called the roll, and House Bill No. 196 was reported favorably by a vote of 10 yeas and 4 nays. Representatives Adams, Bagneris, Carpenter, Gaines, Howard, James, Terry Landry, Lopinto, Norton, and Pylant voted yea. Representatives Bacala, Dwight, Hazel, and Hodges voted nay.

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

House Bill No. 894 by Representative Thibaut

Representative Thibaut presented House Bill No. 894, which provides with respect to reporting for Offender Reentry Support Pilot Program.

Sheriff Beauregard "Bud" Torres, III, Pointe Coupee Parish Sheriff's Office, P.O. Box 248, New Roads, LA 70760, (225)718-1401, spoke for information only on House Bill No. 894. He provided a hand-out, included in this file as exhibit "A", to the committee members with detailed information regarding the Pointe Coupee Detention Center Reentry Program.

Elain Ellerbe, Reentry Benefitting Families, 174 Highland Meadows, Jackson, LA 70748, (225)963-2074, spoke for information only.

Representative Marcelle offered a motion to report House Bill No. 894 favorably. Without objection, House Bill No. 894 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Howard, James, Terry Landry, Lopinto, Marcelle, and Norton 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. 708 by Representative Terry Landry

Representative Terry Landry presented House Bill No. 708, which provides with respect to progressive bingo.

Representative Terry Landry offered amendments to: (1) add that a jackpot on progressive mega jackpot bingo games cannot exceed \$100,000 and (2) add language that electronic bingo dabber devices are not electronic video bingo machines or electronic pull-tab devices and shall not offer the games played on those devices. Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Dwight, Hazel, Howard, James, Terry Landry, Lopinto, and Norton voted yea.

Director Michael Legendre, Louisiana Department of Revenue, office of charitable gaming, P.O. Box 98502, Baton Rouge, LA 70884, (225)925-1835, spoke for information only.

Jacqueline Green, Calcasieu Council on Aging Bingeaux Palace, 3950 Highway 14, Lake Charles, LA 70607, (337)474-2583, spoke in support of House Bill No. 708.

Representative Bacala offered an amendment to add that the governing authority of a municipality or parish may, by ordinance, transfer regulatory authority over charitable gaming in that municipality or parish to the office of charitable gaming. Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 14 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Dwight, Gaines, Hazel, Howard, James, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea.

Pat Hargis, Pat's Bingo and Gretna Bingo, 504 1st St., Gretna, LA 70053, (504)236-0542, spoke in opposition to House Bill No. 708.

Jeanne Palazzo, Bingo Things, Inc., 119 Lavoisier St., Gretna, LA 70053, (504)400-0610, spoke in opposition to House Bill No. 708.

John C. Hebert, Gretna Community Transportation, 912 Epsilou St., Belle Chasse, LA 70037, (504)398-0404, spoke in opposition to House Bill No. 708.

Rae Bartlett, St. Charles Room, 2132 Leslie St., Gretna, LA 70053, (504)638-6281, spoke in opposition to House Bill No. 708.

Representative Marcelle offered a motion to report House Bill No. 708 with amendments, to which Representative Adams objected. The secretary called the roll, and House Bill No. 708 was reported with amendments by a vote of 11 yeas and 2 nays. Representatives Carpenter, Dwight, Gaines, Hazel, Howard, James, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea. Representatives Adams and Bacala voted nay.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 95 by Representative Moreno

Representative Moreno presented House Bill No. 95, which adds additional members to the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.

Representative Hazel offered a motion to report House Bill No. 95 favorably. Without objection, House Bill No. 95 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Mack, Adams, Bacala, Carpenter, Dwight, Gaines, Hazel, Howard, James, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea.

House Bill No. 226 by Representative Moreno

Representative Moreno presented House Bill No. 226, which provides relative to revocation or suspension of a video draw poker device license for certain violations.

Representative Carpenter offered a motion to report House Bill No. 226 favorably. Without objection, House Bill No. 226 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Mack, Adams, Bacala, Carpenter, Dwight, Hazel, Howard, James, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea.

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

House Bill No. 518 by Representative Broadwater

On behalf of Representative Broadwater, Representative Mack offered a motion to report House Bill No. 518, which provides relative to information concerning the fitness of a person to be certified by the Board of Examiners of Certified Shorthand Reporters, without action, with the recommendation to recommit to the Committee on House and Governmental Affairs. Without objection, House Bill No. 518 was reported without action with a recommendation to recommit to the Committee on

House and Governmental Affairs, by a vote of 13 yeas and 0 nays. Representatives Mack, Adams, Bacala, Carpenter, Dwight, Hazel, Howard, James, Terry Landry, Lopinto, Marcelle, Norton, and Pylant voted yea.

House Bill No. 546 by Representative Hunter

Representative Hunter presented House Bill No. 546, which creates the crime of homestead exemption fraud.

Representative Mack offered a motion to voluntarily defer action on House Bill No. 546. Without objection, action on House Bill No. 546 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Mack, Adams, Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, James, Terry Landry, Marcelle, Norton, and Pylant voted yea.

Further action was taken by the committee on House Bill No. 546 at a meeting held on April 7, 2016. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 546.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:41 a.m.

Respectfully submitted,

Chairman Sherman Q. Mack
House Committee on Administration of Criminal Justice