

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

Minutes of Meeting  
2016 Regular Session  
March 22, 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 9:33 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 Randal L. Gaines, vice chairman  
Representative Julie Emerson  
Representative Sam L. Jenkins Jr.  
Representative Mike Johnson  
Representative Tanner D. Magee  
Representative Gregory A. Miller  
Representative Clay Schexnayder

#### **MEMBERS ABSENT:**

Representative Robby Carter  
Representative Gregory Cromer  
Representative Jeffrey "Jeff" Hall  
Representative Lowell C. "Chris" Hazel  
Representative Alan Seabaugh

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

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

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

Janet Anthony, sergeant at arms  
Myrtis Jarrell, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 253 by Representative Garofalo**

On behalf of Representative Garofalo, Robert Rieger, Jr., Louisiana Land Title Association, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200, presented House Bill No. 253, which provides with respect to recordation of instruments of foreign trusts.

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 253. Without objection, action on House Bill No. 253 was voluntarily deferred by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Gaines, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

#### **House Bill No. 213 by Representative Garofalo**

On behalf of Representative Garofalo, Robert Rieger, Jr., Louisiana Land Title Association, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200, presented House Bill No. 213, which provides with respect to condominium associations.

Lesli Bolner, Louisiana Land Title Association, 200 North Cate Street, Hammond, LA 70401, (985) 542-8500, spoke for information only on House Bill 213.

Representative Garofalo offered a motion to report House Bill No. 213 favorably. Without objection, House Bill No. 213 was reported favorably by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Gaines, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

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. 287 by Representative Garofalo**

On behalf of Representative Garofalo, Robert Rieger, Jr., Louisiana Land Title Association, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200, presented House Bill No. 287, which provides with respect to judicial sales of property.

Lesli Bolner, Louisiana Land Title Association, 200 North Cate Street, Hammond, LA 70401, (985) 542-8500, spoke in support of House Bill 287.

Representative Garofalo offered a motion to report House Bill No. 287 favorably. Without objection, House Bill No. 287 was reported favorably by a vote of 6 yeas, 0 nays, and 1 abstention.

Representatives Gaines, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

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. 288 by Representative Garofalo**

On behalf of Representative Garofalo, Robert Rieger, Jr., Louisiana Land Title Association, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200, presented House Bill No. 288, which provides with respect to release of judicial mortgages from property acquired in bankruptcy proceeding.

Lesli Bolner, Louisiana Land Title Association, 200 North Cate Street, Hammond, LA 70401, (985) 542-8500, spoke in support of House Bill 288.

Representative Garofalo offered a motion to report House Bill No. 288 favorably. Without objection, House Bill No. 288 was reported favorably by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Gaines, Emerson, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

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. 289 by Representative Garofalo**

On behalf of Representative Garofalo, Robert Rieger, Jr., Louisiana Land Title Association, 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200, presented House Bill No. 289, which provides with respect to a corporation's juridical personality at the termination of corporate existence.

Steve Landry, Louisiana Land Title Association, 869 Heather Drive, Baton Rouge, LA, 70815, (225) 295-3600, spoke in support of House Bill 289.

Representative Garofalo offered a motion to report House Bill No. 289 favorably. Without objection, House Bill No. 289 was reported favorably by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Gaines, Emerson, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

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. 93 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 93, which revises language in the tutorship articles of the Civil Code.

Representative Gregory Miller offered a motion to report House Bill No. 93 favorably. Without objection, House Bill No. 93 was reported favorably by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Gaines, Emerson, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

**House Bill No. 574 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 574, which provides for the inclusion of certain information in a judgment of interdiction.

Representative Gregory Miller offered a motion to report House Bill No. 574 favorably. Without objection, House Bill No. 574 was reported favorably by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Gaines, Emerson, Jenkins, Magee, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

**House Bill No. 634 by Representative Magee**

Representative Magee presented House Bill No. 634, which provides with respect to the imprescriptible reservation of mineral rights.

Representative Magee offered a motion to report House Bill No. 634 favorably. Without objection, House Bill No. 634 was reported favorably by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Gaines, Emerson, Jenkins, Mike Johnson, Magee, Gregory Miller, and Schexnayder 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.

**IV. ANNOUNCEMENTS**

There were no announcements.

**V. ADJOURNMENT**

The meeting was adjourned at 10:05 a.m.

Respectfully submitted,

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