

House Committee on Civil Law and Procedure

Minutes of Meeting
2016 Regular Session
May 2, 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 10:05 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 Gregory Cromer
Representative Julie Emerson
Representative Randal L. Gaines, vice chairman
Representative Sam L. Jenkins Jr.
Representative Gregory A. Miller
Representative Clay Schexnayder

MEMBERS ABSENT:

Representative Mike Johnson
Representative Tanner D. Magee
Representative Alan Seabaugh

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Victoria Langston, clerk
J'Nai Bayone, clerk

III. DISCUSSION OF LEGISLATION

Senate Bill No. 94 by Senator Colomb

Senator Colomb presented Senate Bill No. 94, which enacts the Louisiana Uniform Adult Guardianship Protective Proceedings Jurisdiction Act.

Professor Randy Trahan, Louisiana State Law Institute, Paul M. Hebert Law Center, Room W127, Baton Rouge, LA 70803, no phone number provided, spoke for information only on Senate Bill No. 94.

Representative Jenkins offered a motion to report Senate Bill No. 94 favorably. Without objection, Senate Bill No. 94 was reported favorably by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Cromer, Emerson, Jenkins, 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.

Senate Bill No. 404 by Senator Peacock

Senator Peacock presented Senate Bill No. 404, which regulates unsolicited offers for the transfer and sale of mineral rights.

Professor Melissa Lonegrass, Louisiana State Law Institute, Paul M. Hebert Law Center, Room W127, Baton Rouge, LA 70803, no phone number provided, spoke for information only on Senate Bill no. 404.

Representative Jenkins offered a motion to report Senate Bill No. 404 favorably. Without objection, Senate Bill No. 404 was reported favorably by a vote of 5 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Cromer, Jenkins, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

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 Concurrent Resolution No. 42 by Senator Morrish

Senator Morrish presented Senate Concurrent Resolution No. 42, which requests the Louisiana State Law Institute to study the applicability of "possessory action" as provided in the Louisiana Code of Civil Procedure.

Joe Mapes, Farm Bureau, 731 Lakeland Drive, Baton Rouge, LA 70802, (225) 268-8572, spoke in support of Senate Concurrent Resolution No. 42.

Representative Garofalo offered a motion to report Senate Concurrent Resolution No. 42 favorably. Without objection, Senate Concurrent Resolution No. 42 was reported favorably by a vote of 5 yeas, 0 nays, and 1 abstention. Representatives Robby Carter, Cromer, Jenkins, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

Senate Bill No. 368 by Senator Morrish

Senator Morrish presented Senate Bill No. 368, which provides relative to intrafamily adoptions.

Cade Cole, 4209 Maidstone, Lake Charles, LA 70605, no phone number provided, spoke in support of Senate Bill No. 368.

Representative Garofalo offered a motion to report Senate Bill No. 368 favorably. Without objection, Senate Bill No. 368 was reported favorably by a vote of 5 yeas, 0 nays, and 1 abstention. Representatives Cromer, Gaines, Jenkins, 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.

Senate Concurrent Resolution No. 13 by Senator Bishop

On behalf of the author, Representative Garofalo offered a motion to voluntarily defer action on Senate Concurrent Resolution No. 13, which requests the Louisiana State Law Institute to study the feasibility of revising state law regarding standing for private associations to seek injunctive relief for a zoning violation and also to study present penalties for zoning violations.

Without objection, action on Senate Concurrent Resolution No. 13 was voluntarily deferred by a vote of 5 yeas, 0 nays, and 1 abstention. Representatives Cromer, Gaines, Jenkins, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

Senate Bill No. 203 by Senator Ward

On behalf of the author, Larry Murray, Louisiana State Bar Association, P. O. Box 44153, Baton Rouge, LA 70804, (225) 381-0127, presented Senate Bill No. 203, which provides for certain penalties regarding the unauthorized practice of law.

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 5

yeas, 0 nays, and 1 abstention. Representatives Cromer, Gaines, Jenkins, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

Representative Gregory Miller offered a motion to report Senate Bill No. 203 with amendments. Without objection, Senate Bill No. 203 was reported with amendments by a vote of 5 yeas, 0 nays, and 1 abstention. Representatives Cromer, Gaines, Jenkins, Gregory Miller, and Schexnayder voted yea. Representative Garofalo abstained.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

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