

House Committee on Administration of Criminal Justice

Minutes of Meeting
2017 Regular Session
April 19, 2017

I. CALL TO ORDER

Representative Sherman Q. Mack, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:08 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Sherman Q. Mack, chairman
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 Terry C. Landry, Sr.
Representative C. Denise Marcelle
Representative Joseph A. Marino, III
Representative Barbara M. Norton
Representative Steve E. Pylant, vice chairman
Representative John M. Stefanski

MEMBERS ABSENT:

Representative Edward C. "Ted" James, II

STAFF MEMBERS PRESENT:

Kelly C. Fogleman, attorney
Katie LeLeux, attorney
Alicia Spivey, secretary

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms
Annie Beckstrom, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 615 by Representative Terry Landry**

Representative Terry Landry presented House Bill No. 615, which provides relative to an inmate's eligibility to participate in certain programs and relative to completion of programs prior to release on parole.

Representative Mack offered amendments to remove eligibility to inmates convicted of a crime of violence or sentenced as a habitual offender from participation in inmate rehabilitation and workforce development programs. Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, and Stefanski voted yea. Representative Mack abstained.

Natalie LaBorde, Department of Public Safety and Corrections, (337) 654-6718, spoke for information only on House Bill No. 615.

Judge Bob Morrison, Louisiana District Judges Association, P. O. Box 788, Amite, Louisiana, 70422, (985) 748-9495, spoke in support of House Bill No. 615.

Representative Marcelle offered a motion to report House Bill No. 615 with amendments. Without objection, House Bill No. 615 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, and Stefanski voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 1 for informational purposes only. Witness cards are included in the committee records.

House Bill No. 286 by Representative Smith

On behalf of Representative Smith, Natalie LaBorde, Department of Public Safety and Corrections, (337) 654-6718, presented House Bill No. 286, which provides for the payment of restitution to the Crime Victims Reparations Fund in certain cases.

Jan Rodrigue, Probation and Parole, 504 Mayflower, Baton Rouge, Louisiana, (225) 342-6608, spoke for informational purposes on House Bill No. 286.

Bob Wertz, Crime Victim Reparations Program, P. O. Box 3133, Baton Rouge, Louisiana, 70821 (225) 342-1667, spoke for informational purposes on House Bill No. 286.

Representative Terry Landry offered a motion to report House Bill No. 286 favorably. Without objection, House Bill No. 286 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Dwight, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for informational purposes only. Witness cards are included in the committee records.

House Bill No. 295 by Representative Chad Brown

Representative Chad Brown presented House Bill No. 295, which provides relative to the forms of payment a video draw poker device accepts.

Alton Ashy, Louisiana Video Gaming Association, 218 Laurel Street, Baton Rouge, 70804, (225) 344-1177, spoke in support of House Bill No. 295.

Representative Norton offered a motion to report House Bill No. 295 favorably. Without objection, House Bill No. 295 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Hazel, Hodges, Howard, Marcelle, Marino, Norton, Pylant, and Stefanski voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 105 by Representative Magee

Representative Magee presented House Bill No. 105, which provides relative to the crime of improper supervision of a minor with respect to off-road vehicles and golf carts.

Representative Dwight offered a motion to report House Bill No. 105 favorably, to which Representative Pylant objected. The secretary called the roll, and House Bill No. 105 was reported favorably by a vote of 8 yeas, 6 nays, and 1 abstention. Representatives Bacala, Carpenter, Dwight, Gaines, Hodges, Howard, Terry Landry, and Norton voted yea. Representatives Bagneris, Hazel, Marcelle, Marino, Pylant, and Stefanski voted nay. Representative Mack 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. 161 by Representative Seabaugh

Representative Seabaugh presented House Bill No. 161, which provides an exception for safety helmets relative to the prohibition on wearing hoods, masks, and other facial disguises in public places.

Representative Hazel offered an amendment to the exception to the offense to provide that the offense shall not apply to persons riding or driving a motorcycle. Representative Hazel offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, Pylant, and Stefanski voted yea.

Representative Hazel offered an amendment to add an exception for persons wearing a helmet for medical purposes or reasons. Representative Hazel offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, Pylant, and Stefanski voted yea. Representative Mack abstained.

Cecil Crawford, ABATE, Motorcycle Riders Foundation, 198 Russwood, Ruston, Louisiana, 71270, (318) 548-1315, spoke in support of House Bill No. 161.

Representative Terry Landry offered a motion to report House Bill No. 161 with amendments. Without objection, House Bill No. 161 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, Pylant, and Stefanski voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

House Bill No. 304 by Representative Hilferty

Representative Hilferty presented House Bill No. 304, which expands definition of "racketeering activity" to include armed robbery and armed robbery or attempted armed robbery committed with a firearm.

Leon Cannizzaro, Orleans Parish District Attorney, 619 S. White Street, New Orleans, Louisiana 70119, (504) 822-2414, spoke in support of House Bill No. 304.

James T. Dixon, Jr., Louisiana Public Defender Board, 301 Main Street, Suite 700, Baton Rouge, Louisiana, 70825, (225) 219-9305, spoke for informational purposes only on House Bill No. 304.

Elain Ellerbe, State Director, Right on Crime, 174 Highland Meadows, Jackson, Louisiana 70748, (225) 963-2074, spoke in opposition to House Bill No. 304.

Representative Mack offered a motion to report House Bill No. 304 favorably. Without objection, House Bill No. 304 was reported favorably by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, Pylant, and Stefanski voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 162 by Representative Shadoin

Representative Shadoin presented House Bill No. 162, which prohibits the filing of a false lien against state officers and state employees.

Representative Mack offered a motion to report House Bill No. 162 favorably. Without objection, House Bill No. 162 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marino, Norton, and Stefanski voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for informational purposes only. Witness cards are included in the committee records.

House Bill No. 82 by Representative Mack

Representative Mack presented House Bill No. 82, which provides relative to the powers, duties, and responsibilities of the Louisiana Public Defender Board.

Representative Mack offered amendments to expand the attorney-client privilege that applies to counsel in cases to apply to all board members and staff for the review of case details. Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, Norton, and Stefanski voted yea.

Representative Bacala offered a motion to report House Bill No. 82 with amendments. Without objection, House Bill No. 82 was reported with amendments by a vote of 12 yeas, 0 nays, and 1

abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Marcelle, Marino, Norton, and Stefanski voted yea. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 2 for informational purposes only. Witness cards are included in the committee records.

House Bill No. 410 by Representative Jackson

On behalf of Representative Jackson, Representative Mack offered a motion to voluntarily defer action on House Bill No. 410, which provides relative to the quorum necessary for the Public Defender Board to transact business. Without objection, action on House Bill No. 410 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bagneris, Carpenter, Dwight, Gaines, Hazel, Hodges, Howard, Terry Landry, Marcelle, Marino, and Stefanski voted yea. Representative Mack abstained.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:21 a.m.

Respectfully submitted,

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

Date adopted: