

House Committee on Judiciary

Minutes of Meeting
2017 Regular Session
May 17, 2017

I. CALL TO ORDER

Representative Katrina R. Jackson, chairman of the House Committee on Judiciary, called the meeting to order at 6:27 p.m. in Room 1, in the State Capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Katrina R. Jackson, chairman
Representative John H. Bagneris
Representative Gary M. Carter, Jr.
Representative Robby Carter
Representative Randal L. Gaines
Representative Jimmy Harris
Representative Lowell C. "Chris" Hazel
Representative Valarie Hodges
Representative Robert A. Johnson
Representative Christopher J. Leopold
Representative Tanner D. Magee
Representative Joseph A. Marino, III
Representative John C. "Jay" Morris, III, vice chairman
Representative Robert E. Shadoin
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative Chad Brown
Representative Jean-Paul P. Coussan

STAFF MEMBERS PRESENT:

Lisha Landry, attorney
Michelle Fontenot, legal division director
Diane Merritt, secretary

ADDITIONAL ATTENDEES PRESENT:

Madeleine Murphy, clerk
Beverly Vincent, sergeant at arms
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 99 by Representative Carpenter**

(This is a continuation of discussion on House Bill No. 99 from an earlier meeting on May 11, 2017. Please check for the prior action to complete the record of discussion and motions on House Bill No. 99.)

Representative Carpenter presented House Bill No. 99, which provides for fees in certain civil matters.

Lisha Landry, staff attorney, explained a set of amendments to:

- (1) Add that 40% of the funds generated by the fee increase must be deposited in an equipment fund used to purchase or update equipment to carry out the efficient performance of all duties of constables and marshals.
- (2) Require the equipment fund be included in the constables' and marshals' annual audit and a copy of the audit filed with the legislative auditor's office.
- (3) Add an effective date for the increase in fees to become effective if and when the Judicial Council reviews the request and makes its recommendation to the legislature in its 2018 report.

Representative Jackson offered the proposed amendments for adoption. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Jackson, Robby Carter, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, and Zeringue voted yea.

Lisha Landry, staff attorney, explained an amendment to increase the percentage of fees for the Hammond city marshal for collecting money for execution of order of seizure and sale or writ, without either seizure or sale, from 6% to 10%.

Representative Robby Carter offered the proposed amendment for adoption. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Jackson, Robby Carter,

Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Reginald Brown, representing National Constable Association, 233 St. Louis St., Baton Rouge, LA 70802, testified in support of the bill.

Carl W. Richard, Shreveport City Marshal, 1244 Texas Ave., Shreveport, LA 71101, testified in support of the bill.

Charlie Caldwell, Jr., Shreveport City Marshal's office, 1244 Texas Ave., Shreveport, LA 71101, testified in support of the bill.

Wince Highshaw, Jr., Monroe City Marshal, 600 Calypso St., Monroe, LA 71201, testified in support of the bill.

Lisa Chafford, Bastrop City Marshal, 202 E. Jefferson St., Bastrop, LA 71220, testified in support of the bill.

David Boneno and Joe Gendren, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, testified in opposition to the bill.

Representative Gary Carter offered a motion to report House Bill No. 99 with amendments, to which Representative Jay Morris objected. The secretary called the roll, and House Bill No. 99 was reported with amendments by a vote of 10 yeas and 4 nays. Representatives Jackson, Bagneris, Gary Carter, Robby Carter, Gaines, Jimmy Harris, Hodges, Leopold, Magee, and Marino voted yea. Representatives Hazel, Jay Morris, Shadoin, and Zeringue voted nay.

Witness cards submitted by individuals who did not speak are as follows: 12 in support and 1 in opposition. Witness cards are included in the committee records.

Senate Bill No. 52 by Senator Long

On behalf of the author, Gary Bennett, assistant executive director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, presented Senate Bill No. 52, which provides relative to payment of group insurance for retired sheriffs and deputy sheriffs of the Natchitoches Parish Sheriff's Office.

Lisha Landry, staff attorney, explained a set of amendments to:

- (1) Retain present law for those persons hired prior to Aug. 1, 2017.
- (2) Make technical amendments.

Representative Jackson offered the proposed amendments for adoption. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Jackson, Bagneris, Robby Carter, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Representative Hazel offered a motion to report Senate Bill No. 52 with amendments. Without objection, Senate Bill No. 52 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Jackson, Bagneris, Robby Carter, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue 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.

Senate Bill No. 147 by Senator Riser

On behalf of the author, Representative DeVillier presented Senate Bill No. 147, which provides relative to the Louisiana National Guard.

Dirk Thibodeaux, Louisiana National Guard, 5445 Point Clear Rd., Carville, LA, testified for informational purposes on the bill.

Representative Magee offered a motion to report Senate Bill No. 147 favorably. Without objection, Senate Bill No. 147 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Jackson, Robby Carter, Gaines, Jimmy Harris, Hazel, Hodges, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Senate Bill No. 213 by Senator Gary Smith

On behalf of the author, Representative Gaines presented Senate Bill No. 213, which provides relative to health insurance for certain retired district attorneys.

Representative Gaines offered a motion to report Senate Bill No. 213 favorably. Without objection, Senate Bill No. 213 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Jackson, Bagneris, Robby Carter, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Senate Bill No. 43 by Senator Martiny

On behalf of the author, Representative Jackson presented Senate Bill No. 43, which provides relative to compensation and distribution of costs of justices of the peace and constables.

Representative Marino offered a motion to report Senate Bill No. 43 favorably. Without objection, Senate Bill No. 43 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Jackson, Bagneris, Robby Carter, Gaines, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue 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. 236 by Senator LaFleur

Senator LaFleur presented Senate Bill No. 236, which provides relative to clerks of court.

Debbie Hudnall, executive director, Louisiana Clerks of Court Association, 10202 Jefferson Hwy., Bldg. A, Baton Rouge, LA 70809, testified in support of the bill.

Representative Hazel offered a motion to report Senate Bill No. 236 favorably. Without objection, Senate Bill No. 236 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Jackson, Bagneris, Robby Carter, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

Senate Bill No. 151 by Senator White

On behalf of the author, Representative Jackson presented Senate Bill No. 151, which provides for the Emergency Management Assistance Compact.

Allison McLeary, attorney, GOHSEP, 1500 Main St., Baton Rouge, LA 70806, testified for informational purposes on the bill.

Victoria Carpenter, GOHSEP, 7667 Independence Blvd., Baton Rouge, LA 70806, testified for informational purposes on the bill.

Representative Jimmy Harris offered a motion to report Senate Bill No. 151 favorably. Without objection, Senate Bill No. 151 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Jackson, Bagneris, Robby Carter, Jimmy Harris, Hazel, Hodges, Johnson, Leopold, Magee, Marino, Jay Morris, Shadoin, and Zeringue voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Chairman Katrina R. Jackson
House Committee on Judiciary

Date adopted: