

House Committee on Administration of Criminal Justice

Minutes of Meeting
2018 Regular Session
May 1, 2018

I. CALL TO ORDER

Representative Sherman Q. Mack, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 2:00 p.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 Royce Duplessis
Representative Stephen C. Dwight
Representative Lowell C. "Chris" Hazel
Representative Frank A. Howard
Representative Edward C. "Ted" James, II
Representative C. Denise Marcelle
Representative Joseph A. Marino, III
Representative Nicholas Muscarello, Jr.
Representative Barbara M. Norton
Representative Steve E. Pylant, vice chairman
Representative John M. Stefanski

MEMBERS ABSENT:

Representative Raymond J. Crews
Representative Randal L. Gaines
Representative Valarie Hodges

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms
Janet Anthony, sergeant at arms
Jordan Zeringue, clerk
Desiree Cotton, clerk

III. DISCUSSION OF LEGISLATION**Senate Bill No. 208 by Senator Hewitt**

Senator Hewitt presented Senate Bill No. 208, which provides relative to bail after conviction.

Blake Peters, St. Tammany Parish District Attorney's Office, 701 North Columbia Street, Covington, LA 70433, (985) 809-8383, spoke in support of Senate Bill No. 208.

Representative Stefanski offered a motion to report Senate Bill No. 208 favorably. Without objection, Senate Bill No. 208 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Howard, Marino, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 2 in opposition. Witness cards are included in the committee records.

Senate Bill No. 411 by Senator White

Senator White presented Senate Bill No. 411, which provides relative to persons found not guilty by reason of insanity.

On behalf of Senator White, Representative Mack offered amendments to:

- (1) Remove the requirement that the clerk of court notify each person for whom information is reported pursuant to proposed law that the person is prohibited from receiving or possessing a firearm or ammunition.
- (2) Remove the proposed law procedure by which a person may petition the court to have his firearm-related disabilities removed and to restore his right to receive and possess a firearm and ammunition and his eligibility to obtain a concealed handgun permit.
- (3) Clarify changes made to present law relative to persons who are prohibited from possessing a firearm or carrying a concealed weapon.

- (4) Amend the present law procedure by which a person may petition the court to order removal of a firearm-related prohibition to expand its application to persons found not guilty by reason of insanity of any felony except under certain circumstances.

Representative Mack 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, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Howard, Marino, Pylant, and Stefanski voted yea.

Representative Hazel offered a motion to report Senate Bill No. 411 with amendments. Without objection, Senate Bill No. 411 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Howard, Marino, Pylant, and Stefanski 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.

Senate Bill No. 559 by Senator Morrish

Senator Morrish presented Senate Bill No. 559, which authorizes public institutions of higher education, when licensed, to conduct raffles.

On behalf of Senator Morrish, Representative Mack offered an amendment to change references of "public institutions of higher learning" to "public institutions of higher education". Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Howard, Marino, Pylant, and Stefanski voted yea.

Representative Carpenter offered a motion to report Senate Bill No. 559 with amendments. Without objection, Senate Bill No. 559 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Howard, Marino, Pylant, and Stefanski 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.

Senate Bill No. 106 by Senator Morrell

Senator Morrell presented Senate Bill No. 106, which provides relative to the duration of a disposition on a felony-grade adjudication.

Representative Bagneris offered a motion to report Senate Bill No. 106 favorably. Without objection, Senate Bill No. 106 was reported favorably by a vote of 13 yeas and 0 nays.

Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Howard, Marcelle, Marino, Muscarello, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support. Witness cards are included in the committee records.

Senate Bill No. 74 by Senator Gatti

Senator Gatti presented Senate Bill No. 74, which requires insurance for persons handling explosives.

Representative Mack offered a motion to voluntarily defer action on Senate Bill No. 74. Without objection, action on Senate Bill No. 74 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Howard, James, Marcelle, Marino, Muscarello, Pylant, and Stefanski 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.

Further action was taken by the committee on Senate Bill No. 74 on May 8, 2018. Please check for the subsequent action to complete the records of discussion and motions on Senate Bill No. 74.

Senate Bill No. 495 by Senator Martiny

On behalf of Senator Martiny, Natalie LaBorde, Department of Public Safety and Corrections, 504 Mayflower Street, Baton Rouge, LA 70802, (225) 342- 8131, presented Senate Bill No. 495, which provides relative to parole eligibility.

Liz Mangham, Smart on Crime, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 939-6169, spoke in support of Senate Bill No. 495.

Representative Mack offered an amendment to change the applicability of present law provisions regarding administrative parole to offenders who commit an offense on or after November 1, 2020, instead of November 1, 2017. Representative Mack 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, Bacala, Bagneris, Duplessis, Dwight, Hazel, Howard, James, Marcelle, Marino, Muscarello, Norton, Pylant, and Stefanski voted yea.

E. Pete Adams, Louisiana District Attorneys Association, 1645 Nicholson Drive, Baton Rouge, LA 70802, (225) 343-0171, spoke for information only on Senate Bill No. 495.

Representative Marcelle offered a motion to report Senate Bill No. 495 with amendments. Without objection, Senate Bill No. 495 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Mack, Bacala, Duplessis, Dwight, Hazel, Howard, James, Marcelle, Marino, Muscarello, Norton, Pylant, and Stefanski 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 Resolution No. 134 by Representative Smith

Representative Smith presented House Resolution No. 134, which requests the Department of Public Safety and Corrections and other penal institutions that provide inmate training to provide access to training for inmates who are deaf and hard of hearing.

Representative Marcelle offered a motion to report House Resolution No. 134 favorably. Without objection, House Resolution No. 134 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Mack, Bacala, Duplessis, Dwight, Hazel, Howard, James, Marcelle, Marino, Muscarello, Norton, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

Senate Bill No. 18 by Senator Cortez

On behalf of Senator Cortez, Representative Hazel presented Senate Bill No. 18, which provides relative to the use of purple paint in lieu of "no trespassing" signs.

Representative Stefanski offered a motion to report Senate Bill No. 18 favorably. Without objection, Senate Bill No. 18 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Howard, James, Marino, Muscarello, Norton, Pylant, and Stefanski 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.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:44 p.m.

Respectfully submitted,

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

Date adopted: