

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

Minutes of Meeting  
2018 Regular Session  
March 27, 2018

### **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 1:07 p.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Raymond E. Garofalo, Jr., chairman  
Representative Raymond J. Crews  
Representative Julie Emerson  
Representative Randal L. Gaines, vice chairman  
Representative Sam L. Jenkins, Jr.  
Representative Tanner D. Magee  
Representative Gregory A. Miller

#### **MEMBERS ABSENT:**

Representative Robby Carter  
Representative Gregory Cromer

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

Robert A. Singletary, attorney  
Annie Smith, attorney  
Stephanie Weinman, secretary

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

Myrtis Jarrell, sergeant at arms  
Janet Anthony, sergeant at arms  
Jordan Zeringue, clerk  
Desiree Cotton, clerk

### **III. DISCUSSION OF LEGISLATION**

#### **House Bill No. 159 by Representative Foil**

On behalf of Representative Foil, Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 159, which authorizes and provides protection for the release of medical and biological material information to coroners during investigations. Without objection, action on House Bill No. 159 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller voted yea.

#### **House Bill No. 172 by Representative Garofalo**

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 172, which provides relative to the cancellation of inferior liens and mortgages. Without objection, action on House Bill No. 172 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller voted yea.

#### **House Bill No. 359 by Representative Foil**

On behalf of Representative Foil, Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 359, which provides relative to the exemption from seizure of certain retirement accounts. Without objection, action on House Bill No. 359 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller voted yea.

#### **House Bill No. 423 by Representative Magee**

On behalf of Representative Magee, Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 423, which authorizes the Coastal Protection and Restoration Authority to acquire property for integrated coastal protection purposes prior to judgment. Without objection, action on House Bill No. 423 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller voted yea.

#### **House Bill No. 586 by Representative Jimmy Harris**

On behalf of Representative Jimmy Harris, Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 586, which amends the Medical Malpractice Act. Without objection, action on House Bill No. 586 was voluntarily deferred by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller voted yea.

**House Bill No. 466 by Representative Gisclair**

Representative Gisclair presented House Bill No. 466, which provides relative to authority granted to CASA volunteers.

Kathleen Stewart Richey, Louisiana CASA, 1120 Government St., Building I, Baton Rouge, LA 70802, (225) 930-0305, spoke in support of House Bill No. 466.

Representative Garofalo offered an amendment to make changes to present law as it currently reads and as it will read once a delayed effective date is triggered. Representative Garofalo offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Gaines, Jenkins, Magee, and Gregory Miller voted yea.

Representative Garofalo offered amendments to: (1) allow the court to prohibit a CASA volunteer from accessing the home in which the child was placed; (2) allow the parent to object to the CASA volunteer attending administrative review hearings and family team meetings; and (3) add a condition that the individual have contact with children in order for the court to search the central registry for CASA volunteers, staff members, and board members. Representative Garofalo offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Gaines, Jenkins, Magee, and Gregory Miller voted yea.

Aimee Lemmon, CASA of Lafourche, 406 W. 3<sup>rd</sup> St., Thibodaux, LA 70301, (985) 859-6649, spoke in support of House Bill No. 466.

Rhenda Hodnett, Department of Children and Family Services, no address provided, Baton Rouge, LA, (225) 342-4044, spoke for information only on House Bill No. 466.

Representative Magee offered a motion to report House Bill No. 466 with amendments. Without objection, House Bill No. 466 was reported with amendments by a vote of 5 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, and Magee 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.

**House Bill No. 521 by Representative Henry**

Representative Henry presented House Bill No. 521, which provides relative to ex officio notaries for coroners.

Representative Garofalo offered an amendment to authorize the designation of one deputy coroner or assistant as an ex officio notary public. Representative Garofalo offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 5 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, and Magee voted yea.

Dr. William Beau Clark, Louisiana State Coroners Association, 4030 T.B. Herndon Ave., Baton Rouge, LA 70807, (225) 389-3047, spoke in support of House Bill No. 521.

Representative Magee offered a motion to report House Bill No. 521 with amendments. Without objection, House Bill No. 521 was reported with amendments by a vote of 5 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, and Magee voted yea.

#### **House Bill No. 16 by Representative Danahay**

On behalf of Representative Danahay, Representative Magee presented House Bill No. 16, which provides relative to taking judicial notice of statutes.

Representative Magee offered a motion to report House Bill No. 16 favorably. Without objection, House Bill No. 16 was reported favorably by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller voted yea.

#### **House Bill No. 390 by Representative Emerson**

Representative Emerson presented House Bill No. 390 in the form of a substitute bill, which repeals the seventy-two-hour waiting period before performing a marriage ceremony.

Representative Emerson offered a motion to report House Bill No. 390 by substitute. Without objection, House Bill No. 390 was reported by substitute by a vote of 6 yeas and 0 nays. Representatives Garofalo, Crews, Emerson, Jenkins, Magee, and Gregory Miller 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 Bill No. 490 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 490, which provides for healthcare coverage relative to child support.

Gary Franklin, Department of Children and Family Services, 627 N. 4<sup>th</sup> St., Baton Rouge, LA 70802, (225) 342-4785, spoke for information only on House Bill No. 490.

Representative Gregory Miller offered a motion to report House Bill No. 490 favorably. Without objection, House Bill No. 490 was reported favorably by a vote of 5 yeas and 0 nays. Representatives Garofalo, Emerson, Jenkins, Magee, and Gregory Miller 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.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 2:02 p.m.

Respectfully submitted,

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

Date adopted: