

## **House Committee on Judiciary**

Minutes of Meeting  
2020 Regular Session  
March 12, 2020

### **I. CALL TO ORDER**

Representative Randal L. Gaines, chairman of the House Committee on Judiciary, called the meeting to order at 9:02 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Randal L. Gaines, chairman  
Representative Reggie Paul "Bagala" Bagala  
Representative Kathy Edmonston  
Representative Jason Hughes  
Representative Michael T. Johnson  
Representative Frederick Douglass Jones  
Representative Edmond Jordan  
Representative Mandie Landry  
Representative Sherman Q. Mack, vice chairman  
Representative Joseph A. Marino, III  
Representative Nicholas Muscarello, Jr.  
Representative Thomas A. Pressly  
Representative John M. Stefanski

#### **MEMBERS ABSENT:**

Representative Robby Carter

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

Sadie Becnel, attorney  
Diane Merritt, committee administrative assistant

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

Myrtis Jarrell, sergeant at arms  
Brayden Simmons, clerk

### III. OPENING REMARKS

Representative Gaines introduced and welcomed the new members to the committee. He also introduced the vice chairman and staff.

### IV. COMMITTEE JURISDICTION

Sadie Becnel, committee attorney, explained the Rules of Order, Chapter 6, Rules 6.6 et seq., which provide that the House Committee on Judiciary has jurisdiction over all instruments, messages, petitions, memorials, and other matters relating to the following subjects:

- (1) The Supreme Court, Courts of Appeal, District Courts, Family Courts, and Juvenile Courts; matters of the jurisdiction of said courts; and matters relating to judges generally, including compensation, expenses, personnel, facilities and the like, except as pertains to retirement.
- (2) Municipal and Parish Courts, Mayor's Courts, and Justice of the Peace Courts.
- (3) The attorney general, district attorneys, and prosecutors in general, including compensation, expenses, personnel, facilities and the like.
- (4) Law enforcement, generally, including matters relating to public safety.
- (5) Sheriffs, generally, except matters affecting the sheriffs as ex officio tax collectors.
- (6) Clerks of court and records of the courts.
- (7) National guard, Code of Military Justice, and the Adjutant General
- (8) Civil defense and disaster protection.
- (9) State and local government boundary lines.
- (10) Holidays and celebrations.
- (11) Regulations and sale of intoxicating liquors.
- (12) Miscellaneous matters not covered by other standing committees.

Sadie Becnel stated that the committee also has agency review and administrative rules for the Crime Victims Reparation Board; Department of Justice, specifically the attorney general; and most matters of public safety services of the Department of Public Safety and Corrections. She also explained the

Judicial Council of the Louisiana Supreme Court and the duties and functions of the Judicial Compensation Commission.

Representative Gaines also discussed the committee rules of procedure, pointing out specific items included in the rules.

Representative Hughes offered a motion to adopt the committee rules of procedure. Without objection, the committee rules of procedure were adopted by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

## **V. DISCUSSION OF LEGISLATION**

### **House Bill No. 53 by Representative Jefferson**

Representative Jefferson presented House Bill No. 53, which provides relative to the election of judges for the 2<sup>nd</sup> JDC.

Representative Mack offered an amendment to add an effective date based upon the signature of the governor. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Representative Mack offered a motion to report House Bill No. 53 with amendments. Without objection, House Bill No. 53 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

### **House Bill No. 58 by Representative Riser**

Representative Riser presented House Bill No. 58, which provides relative to premium costs for retired sheriffs and deputy sheriffs of the Catahoula Parish Sheriff's Office.

Toney Edwards, Sheriff of Catahoula Parish, 301 Bushley St., Harrisonburg, LA 71340, (318) 744-5411, testified in support of House Bill No. 58.

Gary Bennett, assistant director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, testified in support of House Bill No. 58.

Representative Mike Johnson offered a motion to report House Bill No. 58 favorably. Without objection, House Bill No. 58 was reported favorably by a vote of 13 yeas and 0 nays.

Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski 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.

**House Bill No. 400 by Representative Gary Carter**

Representative Gary Carter presented House Bill No. 400, which provides for an extension of court costs collected by the Civil District Court for the parish of Orleans.

Chief Judge Christopher Bruno, Orleans Parish Civil District Court, 421 Loyola Ave., New Orleans, LA 70112, (504) 606-8093, testified for information only on House Bill No 400.

Representative Hughes offered a motion to report House Bill No. 400 favorably. Without objection, House Bill No. 400 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

**House Bill No. 116 by Representative Cox**

Representative Cox presented House Bill No. 116, which provides relative to the use of court costs and fees for services by constables and marshals.

Randal Alfred Williams, Natchitoches City Marshal, 328 St. Denis St., Natchitoches, LA 71457, (318) 357-1129, testified in support of House Bill No. 116.

Representative Gaines offered an amendment to add a stipulation that proposed law shall not be effective and that no fee shall be collected until the judicial council approves the increase. Representative Gaines offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Representative Stefanski offered a motion to report House Bill No. 116 with amendments. Without objection, House Bill No. 116 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

**House Bill No. 95 by Representative Green**

Representative Green presented House Bill No. 95, which provides for an increase in commissioner fees in the Twenty-Fourth Judicial District Court.

Judge Glenn Ansardi, 24<sup>th</sup> Judicial District Court, 200 Derbigny St., Ste. 3600, Gretna, LA 70053, (504) 812-1337, testified for information only on House Bill No. 95.

Renee Aguilar, judicial administrator, 24<sup>th</sup> Judicial District Court, 200 Derbigny St., Gretna, LA 70053 (504) 364-3990, testified for information only on House Bill No. 95.

Morgan Lamandre, representing STAR, 5615 Corporate Blvd., Baton Rouge, LA 70808, (225) 615-7093, testified in support of House Bill No. 95.

Representative Marino offered a motion to report House Bill No. 95 favorably. Without objection, House Bill No. 95 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

**House Bill No. 420 by Representative Bacala**

Representative Bacala presented House Bill No. 420, which provides relative to minimum training requirements for law enforcement officers.

Rebekah Taylor, P.O.S.T. Program Manager, Louisiana Commission on Law Enforcement, 602 N. 5<sup>th</sup> St., Baton Rouge, LA 70802, (224) 342-1648, testified for information only on House Bill No. 420.

Representative Edmonston offered a motion to report House Bill No. 420 favorably. Without objection, House Bill No. 420 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

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

**House Bill No. 584 by Representative Selders**

Representative Selders presented House Bill No. 584, which provides relative to the authorized uses of funds in the Crime Victims Reparations Fund.

Bob Wertz, representing Crime Victims Reparations Board, P.O. Box 3133, Baton Rouge, LA 70821, (225) 342-1667, testified for information only on House Bill No. 584.

Morgan Lamandre, representing STAR, 5615 Corporate Blvd., Baton Rouge, LA 70808, (225) 615-7093, testified in support of House Bill No. 584.

Jim Craft, executive director, Louisiana Commission on Law Enforcement and Administration of Criminal Justice, P.O. Box 3133, Baton Rouge, LA 70821, (225) 342-1500, testified for information only on House Bill No. 584.

Representative Pressly offered a motion to voluntarily defer action on House Bill No. 584. Without objection, action on House Bill No. 584 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, 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.

#### **House Bill No. 80 by Representative Romero**

Representative Romero presented House Bill No. 80, which provides relative to group health insurance for retired district attorneys.

Representative Mack offered an amendment to change the requisite years of service for eligibility to receive retirement benefits from 25 years to 24 years. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, and Stefanski voted yea.

Michael C. Cassidy, District Attorney, Jefferson Davis Parish, P.O. Box 1388, Jennings, LA 70546, (337) 824-1893, testified in support of House Bill No. 80.

Representative Stefanski offered a motion to report House Bill No. 80 with amendments. Without objection, House Bill No. 80 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, and Stefanski voted yea.

#### **House Bill No. 229 by Representative Echols**

Representative Echols presented House Bill No. 229, which provides that the Gulf Fritillary butterfly, also referred to as the passion butterfly, shall be the official state butterfly.

Representative Bagala offered a motion to report House Bill No. 229 favorably. Without objection, House Bill No. 229 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

#### **House Bill No. 404 by Representative Farnum**

Representative Farnum presented House Bill No. 404, which provides relative to clerks of court.

Debbie D. Hudnall, executive director, Louisiana Clerks of Court Association, 10202 Jefferson Hwy., Bldg. A, Baton Rouge, LA 70809, (225) 293-1162, testified in support of House Bill No. 404.

Representative Mack offered a motion to report House Bill No. 404 favorably. Without objection, House Bill No. 404 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

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

#### **House Bill No. 66 by Representative Farnum**

Representative Farnum presented House Bill No. 66, which provides relative to the jurisdictional amount in dispute for the City Court of Sulphur.

Representative Mack offered a motion to voluntarily defer action on House Bill No. 66, to which Representative Hughes objected. The administrative assistant called the roll, and action on House Bill No. 66 was voluntarily deferred by a vote of 8 yeas, 4 nays, and 1 abstention. Representatives Bagala, Edmonston, Jordan, Landry, Mack, Marino, Muscarello, and Pressly voted yea. Representatives Hughes, Mike Johnson, Jones, and Stefanski voted nay. Representative Gaines abstained.

#### **House Bill No. 62 by Representative Wilford Carter**

Representative Wilford Carter presented House Bill No. 62, which provides relative to the election of judges in the 14<sup>th</sup> JDC.

Representative Gaines offered an amendment to add an effective date of July 1, 2020. Representative Gaines offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Muscarello, Pressly, and Stefanski voted yea.

Representative Jones offered a motion to report House Bill No. 62 with amendments. Without objection, House Bill No. 62 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

#### **House Bill No. 76 by Representative Wilford Carter**

Representative Wilford Carter presented House Bill No. 76, which provides relative to the magistrate judge position of the 14<sup>th</sup> JDC.

Representative Gaines offered an amendment to add an effective date of July 1, 2020. Representative Gaines offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Representative Jordan offered a motion to report House Bill No. 76 with amendments. Without objection, House Bill No. 76 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

#### **House Bill No. 73 by Representative Schamerhorn**

Representative Schamerhorn presented House Bill No. 73, which provides with respect to the definition of "first responders".

Representative Pressly offered a motion to report House Bill No. 73 favorably. Without objection, House Bill No. 73 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

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

#### **House Bill No. 113 by Representative Amedee**

Representative Amedee presented House Bill No. 113, which provides relative to the use of facility dogs in court.

Representative Stefanski offered a motion to report House Bill No. 113 favorably. Without objection, House Bill No. 113 was reported favorably by a vote of 12 yeas and 0 nays.



Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

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

### **House Bill No. 265 by Representative Muscarello**

Representative Muscarello presented House Bill No. 265, which provides relative to certain recordkeeping by the clerks of court.

Debbie D. Hudnall, executive director, Louisiana Clerks of Court Association, 10202 Jefferson Hwy., Bldg. A, Baton Rouge, LA 70809, (225) 293-1162, testified in support of House Bill No. 265.

Representative Mack offered a motion to report House Bill No. 265 favorably. Without objection, House Bill No. 265 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Bagala, Edmonston, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

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

### **VI. OTHER BUSINESS**

There was no other business.

### **VII. ANNOUNCEMENTS**

There were no announcements.

### **VIII. ADJOURNMENT**

The meeting was adjourned at 11:02 a.m.

Respectfully submitted,

Chairman Randal L. Gaines  
House Committee on Judiciary

Date adopted: